

Associated Press reporter Mark Gillispie in Cleveland contributed.

## **The Columbus Dispatch**

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### **Despite court ruling, Columbus won't re-install red-light cameras**

Posted Jul 26, 2017 at 9:56 AM, Updated Jul 26, 2017 at 4:23 PM

The Ohio Supreme Court ruled 5-2 Wednesday that the state's restrictions on how cities use red-light cameras are unconstitutional.

Despite the decision, the city of Columbus has no plans to pursue red light cameras, Cathy Collins, assistant director of public safety, said. The decision would have to come from City Council to fund the cameras.

A former lobbyist in Columbus City Hall, John Raphael, was moved to a halfway house earlier this month after serving about a year in prison for extorting campaign contributions to city officials from Redflex, the city's red-light-camera vendor.

And even if Columbus or other Ohio cities have ideas about restarting their traffic camera operations, some lawmakers are already looking to make Wednesday's court ruling a short-lived win.

"I think the cities will find they've won themselves a Pyrrhic victory," said Rep. Bill Seitz, R-Cincinnati, a member of House leadership who sponsored the law as a senator. "That is because we have other tools in the toolkit that we plan to deploy when we get back in September."

The law, Senate Bill 342, required, among other things, that cities, townships and counties utilizing red-light cameras must have an officer present at each camera — a provision that made it too costly for most local entities to use the cameras.

The case is based on a challenge by the city of Dayton, though other cities, including Columbus, Akron, Dayton and Toledo, also had challenged the law with similar lawsuits. Before dismantling the program, Columbus had 44 cameras positioned at 38 intersections.

For its part, Dayton has no plans to "immediately" reemploy traffic cameras, according to the city's law director Barbara Doseck. She said the city will mull their options to do what's best for the community.

"What will be interesting to see will be the legislator's response to this," Doseck said. She expects some attempt to circumvent the ruling on a state level.

Dayton Mayor Nan Whaley said in a statement: "Citizens have been asking for red light cameras to come back so we can make our neighborhoods safer and reduce accidents. We are reviewing the ruling and will soon come up with a plan for the best way to move forward with our program."

Kent Scarrett, executive director of the Ohio Municipal League, said the ruling strongly shows that the legislature overstepped its boundaries into home rule. The decision, he said, enforces that municipalities have local police power and the ability to determine those activities in the best interest of the community.

The lead opinion by Justice Patrick Fischer found the law "infringes on the municipality's legislative authority" and "limits the municipality's legislative powers without serving an overriding state interest."

Bill supporters wrote the law as an alternative to a straight red-light camera ban that some thought was more likely to be struck down by the courts. The law was designed to make the cameras a secondary enforcement tool.

But Fischer wrote: "Requiring an officer's presence at a traffic camera directly contradicts the purpose of a traffic camera — to conserve police resources." He also noted that the law does not actually require the officer to witness the violation, so the camera is still the primary enforcer.

Justices Judith French and Sharon Kennedy wrote separately that the law violates the Ohio Constitution's Home Rule Amendment because it fails to "prescribe a rule of conduct upon citizens generally."

The ruling also overturned provisions of the law requiring cities to give drivers leeway for speeding cameras, and that cities first complete safety studies of intersections where cameras are being considered. The law said no ticket can be issued if the vehicle is going less than 6 mph over the speed limit in a school zone or park, or 10 mph in other locations.

The speeding leeway provision, Fischer said, is a de facto speed limit increase. He also questioned the purpose of the safety study because the placement of cameras is not connected to the results of the study.

Seitz stressed that the ruling applies only to home-rule cities, and the law remains in effect in counties and townships.

Dayton previously won at the trial court level, but that decision was overturned by the Second District Court of Appeals.

"The Ohio Constitution gives local communities the power to govern themselves without the heavy hand of the state needlessly interfering," said Keary McCarthy, executive director of the Ohio Mayors Alliance. "Today's ruling reaffirmed that right."

Seitz said home rule, enacted at a time when rural areas had over-sized voting power at the Statehouse, has "outlived its usefulness."

The fight over traffic cameras "ain't over by a long shot," Seitz said. When lawmakers return to session in September, he said, they will look at reducing state local government funding to any city that utilizes the cameras.

Lawmakers, Seitz said, also may require that camera citations be processed through the municipal court system, rather than the administrative "kangaroo courts" that cities have set up. "When you do that, you begin to take the profit out of policing-for-profit."

Justices Patrick DeWine and William O'Neill dissented.

"Today's decision has the unfortunate impact of further muddling a body of law that is already hopelessly confused," DeWine wrote. "As in many cases in this area, the result today seems to have everything to do with the policy preferences of the majority and nothing to do with the language of the Home Rule Amendment."

#### **Proposal would clamp down on government credit cards**

Posted Jul 26, 2017 at 4:38 PM, Updated Jul 26, 2017 at 4:38 PM

At least four local governments in Ohio have credit cards whose limits are \$1 million or more. Two have limits north of \$5 million.

And, according to a recent survey, almost half of local governments do not have a list of allowable credit-card expenses for employees, and 10 percent have no rules governing the issuance or use of credit or debit cards.

To protect local taxpayers, state Auditor Dave Yost and Rep. David Greenspan, R-Westlake, are proposing legislation that would restrict the use of such cards.

At a press conference Wednesday, Yost used a problem that arose in Mount Sterling as a "poster-child" example of what can happen in the absence of strong controls.

The village administrator there, Joseph Johnson, racked up \$331,000 on the village credit card as part of \$724,000 in improper expenditures on vehicles, a camper, home appliances and other items he used to benefit himself and his friends.

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Johnson pleaded guilty to charges stemming from his raid on village finances and, in March, was sentenced to 10 years in prison — but not before he plunged the village of 1,800 into a state of fiscal emergency.

To get a handle on whether other local governments are vulnerable to a similar financial disaster, Yost's office surveyed the entities it audits. It received responses from 1,646, or about a third of those asked.

Yost, who is running for attorney general, said he found it "shocking and frightening" that 10 percent of respondents had no formal credit-card policies. He also was disturbed that even 5 percent used debit cards.

"There isn't a reason for any government to access cash with a debit card," Yost said, explaining that there's no way to track cash thus retrieved.

He said one possible exception would be law enforcement agencies that use cash for undercover drug buys.

To address the problem, Greenspan plans to introduce a bill in September that would require most local governments to adopt one of two control models.

Under the "custody and control" system, a government official would have physical custody of cards and authorized employees would have to sign them out, use them, account for their use and turn them back in.

Under the "compliance officer" model, the local government must determine how cards can be used, who can use them, create credit limits and spell out a quarterly process to review its credit-card issuance and use. A compliance officer — someone other than the person issuing the cards — would conduct the quarterly review.

Greenspan said he didn't expect opposition to the legislation.

"It is a practical solution," he said, "one that is commonly used in the private sector."

To see where credit and debit card misuse has been reported since 2011, visit <https://ohioauditor.gov/creditcardmap.html>

**TourismOhio director Cusick to step down effective Aug. 1**

Posted Jul 26, 2017 at 10:23 AM, Updated Jul 26, 2017 at 11:08 AM

Mary Cusick has announced that she will step down as director of TourismOhio after three and a half years.

The state tourism unit, which is part of the Ohio Development Services Agency, will seek a new leader to take over after Cusick leaves Aug. 1.

"Mary led the creation of a strong brand that Ohio can use for years to come. She did a good job engaging industry partners across the state," said Todd Walker, spokesman for the agency. "She was brought in to develop a new brand for Ohio and engage the industry, and she delivered on that mission."

Cusick could not immediately be reached for comment. Walker said she did not announce her future plans in notifying the agency that she was leaving.

Cusick was hired after Ohio revamped its approach to development and dedicated more funding to tourism promotion. The department now has an annual budget of \$10 million.

Prior to joining Tourism Ohio, Cusick was chief marketing officer for Bob Evans Farms. She also had served as executive director of the Initiative for Managing Services at Ohio State University's Fisher College of Business.

**The Daily Briefing: Franklin County could get 5 medical marijuana dispensaries**

Posted Jul 26, 2017 at 4:41 PM, Updated Jul 26, 2017 at 4:41 PM

Franklin County would have five medical marijuana dispensaries under the draft of a proposal by the State Board of Pharmacy.

The board released proposed dispensary district maps as it continues to seek public comment in developing regulations for the dispensing of medical marijuana to qualifying patients.

The districts are based on population, the number of envisioned medical marijuana patients, access to major roads and other factors.

The proposed maps show some counties are not assured of hosting a dispensary.

Three are proposed for a district that includes Delaware, Licking, Knox and Morrow counties.

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Two each are suggested for a district consisting of Fairfield, Perry and Hocking counties and another covering Union, Champaign and Clark counties.

One dispensary each is proposed for separate three-county districts containing Madison, Fayette and Greene counties and Pickaway, Ross and Pike counties.

The state also is moving to grant dispensary operators and cultivators licenses to grow and distribute marijuana. Medical marijuana must be available by September 2018, under the state law authorizing its prescription use.

### **Editorial: Time to tackle the tax breaks**

Posted at 12:01 AM, Updated at 6:26 AM

Ohio's legislative leaders have finally appointed members to a special panel that is supposed to take a critical look at the many state tax breaks granted to special interests. That would be a lot more encouraging if they hadn't so obviously been avoiding it.

Ohio's tax credits, deductions and exemptions divert about \$9 billion from the treasury every year. Some no doubt serve a worthy purpose, but just as surely many others are unjustified giveaways to powerful interest groups or well-meant ideas that don't actually work.

Considering that lawmakers faced a \$1 billion shortfall in the new state budget, forcing cuts to programs and services and other accounting moves, they should not let those tax breaks go unexamined any longer.

A state law creating the panel was passed in December, and the Tax Expenditure Review Committee was supposed to have its first meeting no later than June 19. When nothing had happened by mid-July, the nonprofit research institute Policy Matters Ohio decried the inaction.

Reporters called Senate President Larry Obhof, R-Medina and House Speaker Cliff Rosenberger, R-Clarksville to inquire; lo and behold, within 24 hours, each appointed their three members to the committee. No meetings have been publicly scheduled yet.

Obhof and Rosenberger aren't the first to delay dealing with tax breaks; policy groups on the left and the right have been calling for a culling for years.

House Bill 9, which created the current panel, had the support of both the conservative-leaning Buckeye Institute and the liberal Policy Matters Ohio.

Taking away tax breaks that constituents lobbied hard for takes political courage, and so far Ohio's elected officials have fallen short.

One excellent place to start would be the tax-code provision that exempts the first \$250,000 in "small business" incomes from any tax, and reduces the rate on income above that to 3 percent from 5 percent.

It was sold by the General Assembly in 2013 as way to help small businesses and generate jobs. But it turned out to function more as a mechanism for a lot of people who are in business partnerships or limited-liability corporations. A great many are attorneys, including sitting lawmakers.

Many have no employees and no intention of ever hiring any, but by structuring their business to fit the tax break, they pay no taxes or a greatly reduced amount. The only employment boom to come from the exemption may be for CPAs, helping a flood of businesses reorganize to meet the criteria to take advantage of it.

That exemption alone cost the state \$1.1 billion in 2016. Meanwhile, state officials fret that income-tax revenues keep coming in lower than projected.

Gov. John Kasich has pushed to limit new tax breaks, using his line-item veto in the recently passed budget to remove proposed sales-tax exemptions for data processing and computer services, as well as optical aids.

But the governor can't do anything about superfluous tax breaks already on the books. Only lawmakers can deal with those. They've shown amply over the past decade that they'd rather keep making supporters happy by piling on new ones.

But their generosity to favored groups is unfair to all other Ohio taxpayers, who might eventually be forced to make up the lost revenues with higher taxes — or see needed services disappear today.

Under state law, the Tax Expenditure Review Committee owes the public a report by next June. Members should get to work.

**Auditor: 'Imagine finding on the street a credit card with a \$5 million limit?'**

Updated 3:04 p.m Wednesday, July 26, 2017

Local governments that use credit and debit cards could be putting taxpayer money at risk because many don't have basic policies in place to prevent theft or misuse, according to a report released Wednesday by Auditor of State Dave Yost.

In a survey of more than 1,600 local government entities — from townships to school boards to large cities — almost half reported they do not have guidelines for employees using the cards on what is an allowable expense. About 10 percent of responding governments had no formal credit-card policy at all, Yost said.

"The results of the survey should concern Ohioans because we don't have enough controls on this plastic, and we collectively are on the hook for the debt," he said.

The survey also revealed that some entities don't segregate credit card duties, allowing one person to both make purchases and reconcile the accounts. That leaves the door open for theft, Yost said.

In fact since 2011, more than \$1.2 million has been stolen or misspent from Ohio governments through credit card abuse.

Yost's report includes an interactive map of recent theft cases.

On that list were illegal expenditures by Director Kecia Williams from the now-closed General Chappie James Leadership Academy in Jefferson Twp. totalling more than \$5,900; and \$541 in undocumented debit card purchases uncovered at Watkins Academy in Dayton, which did not have any formal policy in place to govern debit card use.

In Butler County, the list of credit card incidents included more than \$7,000 in personal spending on the Oxford Visitors and Convention Bureau's credit card uncovered in 2012 and several findings for recovery against St. Clair Township totalling \$1,285.

In announcing the survey findings, Yost also voiced his support for House Bill 312, introduced Wednesday by State Reps. Kirk Schuring (R-Canton) and Dave Greenspan (R-Westlake). The bill would:

Require all government entities to enact a credit card policy detailing allowable uses, number of cards, who can use them, credit limits and reissue periods.



Require for some governmental entities, that accounts and policies be reviewed regularly by an appointed compliance officer other than the treasurer of the government entity.

Ban the use of debit cards, except for certain law-enforcement purposes.

Authorize the Auditor of State to create rules for the disclosure and audit of credit-card rewards accrued by local governments.

Yost said debit cards are not a best practice for local government entities.

"There really isn't any reason for any government to be having access to cash through a debit card," he said, with the exception of some law-enforcement operations.

The sponsors of the bill would also like to see local governments keeping lower limits on credit cards.

"We found a couple governments that had more than \$1 million credit limits," Yost said. "Imagine finding on the street a credit card with a \$5 million limit?"

### **Southwest Ohio allowed to have 15 medical marijuana stores**

Updated 4:51 p.m Wednesday, July 26, 2017

Columbus – Southwest Ohio would get 15 medical marijuana dispensaries, including four in Montgomery County, according to draft rules released Wednesday by the Ohio Board of Pharmacy

Regulators propose carving the state into four districts and placing medical marijuana dispensary shops based on the number of patients in each area, population, access to major roadways and other factors. The state will accept comment on the proposal until Aug. 11.

The northeast area of the state, which includes Cleveland, Akron and Youngstown would be awarded the most — 18 dispensaries.

The Medical Marijuana Control Program also released instructions for public colleges and universities that want to be licensed to conduct lab testing of medical pot products. There is no limit on lab licenses that can be issued.

Meanwhile, a national trade group for the marijuana industry is setting up an Ohio chapter as the state stands up its new medical marijuana industry. Private lab facilities will be allowed to apply for licenses after a one-year waiting period.

The National Cannabis Industry Association will hold a quarterly cannabis caucus meeting in Columbus on Thursday evening to deliver an update on federal, state and local policy issues, said NCIA Ohio Director Thomas Rosenberger. The event, free for members or \$50 for non-members, is targeted for people and businesses established or looking to get into the legal marijuana industry, he said.

The state is required by law to have its medical marijuana program operational by September. Rosenberger said it appears Ohio regulators are on track to hit the deadline.

At the end of June, Ohio accepted 185 applications from groups vying to be awarded the 24 cultivator licenses.

Ohio passed its medical marijuana law last year. It will allow patients with 21 medical conditions, including cancer and chronic pain, to get a doctor's note recommending marijuana as part of their treatment.

## **THE PLAIN DEALER**

### **Ohio Lt. Gov. Mary Taylor opens Ohio State Fair with official ice cream flavor: cereal & milk**

Posted on July 26, 2017 at 10:17 AM

COLUMBUS, Ohio - Lt. Gov. Mary Taylor opened the Ohio State Fair Wednesday morning by snipping a ribbon and announcing this year's ice cream flavor: cereal and milk.

"I love going through the Agricultural Building," said Taylor. "I love to see the agriculture of the great state of Ohio. Of course everyone loves to see the butter cow and (I'm) looking forward to the ice cream flavor."

Taylor, a contender in the GOP gubernatorial primary next year, also plugged the Taste of Ohio, featuring food all produced in the state, and Ohio wines.

Fairgoers can also gorge on traditional fried foods -- from buckeye candies to Pop Tarts -- ride roller coasters and admire blue-ribbon winning farm animals.

The event runs through Aug. 6. Up to a million visitors could attend, based on attendance records in recent years, which hit the 900,000 mark.

### **Akron child killer Ronald Phillips put to death in first Ohio execution in 3 years**

Updated on July 26, 2017 at 5:13 PM, Posted on July 26, 2017 at 10:57 AM

LUCASVILLE, Ohio -- Akron child killer Ronald Phillips was put to death Wednesday, the first execution carried out in Ohio in more than three years.

Phillips, 43, died by lethal injection at 10:43 a.m. Wednesday at the Southern Ohio Correctional Facility in Lucasville. There were no complications, and witnesses said Phillips showed no signs of gasping, choking or struggling.

Phillips was the first Ohio prisoner to die by a new three-drug cocktail including midazolam, a sedative involved in problematic executions in several states. Executions have been on hold in Ohio since January 2014, when Preble County man Dennis McGuire took an unusually long 26 minutes to die with a two-drug combo including midazolam.

Phillips and two other death-row inmates sued the state over the proposed method. The U.S. Supreme Court denied their final appeals late Tuesday night.

The Ohio Parole Board twice unanimously recommended against granting Phillips clemency, calling the rape and murder of three-year-old Sheila Marie Evans "among the worst of the worst capital crimes." The toddler, Phillips' girlfriend's daughter, was brutally beaten in the days before her death and anally raped, which Phillips confessed to shortly thereafter.

Phillips expressed remorse for her death in a final statement delivered before the lethal drugs were administered.

"I'm sorry you had to live so long with my evil actions," Phillips said to Sheila Marie's family, according to members of the media who witnessed the execution. "Sheila Marie did not deserve what I did to her. I know she is with the Lord and she suffers no more. I'm sorry to each and every one of you that lived with this pain all those years."

Phillips was the 54th Ohioan put to death since the state restarted the death penalty in 1999.

Ohio Department of Rehabilitation and Correction Director Gary Mohr said the execution team rehearsed the protocol 18 times.

Mohr said the last state execution, during which witnesses observed McGuire gasping and snorting, was "a humane execution."

"I witnessed it; I saw that," Mohr told reporters before Wednesday's execution. "I have confidence we're going to continue to do this in a dignified, peaceful, humane way."

Prison officials checked Phillips' veins twice Tuesday to make sure they were accessible for Wednesday's execution.

Phillips visited with his attorneys, spiritual advisers and a friend on Tuesday and Wednesday morning. Phillips was observed praying and reading the Bible several times since arriving at the death house.

He was served a special meal Tuesday night that included a bell pepper and mushroom pizza, strawberry cheesecake and Pepsi. He declined breakfast Wednesday morning but took communion with the prison chaplain.

After the execution Wednesday, Phillips' attorney said Phillips tried every day to atone for his "shameful role" in Sheila Marie's death. Sheila Marie's half-sister and aunt say Phillips never contacted family to seek forgiveness or showed remorse until his final statement today.

#### **Ohio bill aims to stop local government credit, debit card misuse**

Posted on July 26, 2017 at 3:47 PM

COLUMBUS , Ohio - State Rep. Dave Greenspan introduced a bill in the Ohio Statehouse on Wednesday that would require local governments to establish credit and debit card policies, after studies by State Auditor Dave Yost's office found misuse - including \$34,000 in Cuyahoga County since 2011.

Statewide, local government audits in the past six years found at least \$1.2 million in public money was misspent or stolen through credit card abuse, Yost said during a press conference describing the bill and local government audits.

"We're hopeful this is a reasonable piece of good government legislation that could go forward," he said.

In April, Yost's office anonymously surveyed online about 1,640 of the state's 5,600 local governments and found one in 10 lacked a formal policy on credit cards.

That makes it easy for officials to abuse the cards, he said.

#### **Recent conviction over theft with a card**

Joe Johnson, a former Mount Sterling administrator, recently pleaded guilty recently of theft of more than \$724,000 in village funds. He charged \$350,000 on credit cards, including using a card for a down payment on a Ford F150 pickup, Yost said.

### **Cuyahoga County incidents**

Yost unveiled an online map illustrating statewide card misuse discovered in audits, including four instances in Cuyahoga County local governments:

- In the Cleveland Heights-University Heights Local School District, \$1,409 in credit card expenses by employees in the fiscal year 2012 lacked documentation for auditors to know the items they charged.
- At New Day Academy Boarding and Day School, \$619 in debit card expenses lacked supporting documents, charged when the headmaster attended a charter school conference in Chicago in 2010 and spent an extra two days in the city after the event concluded.
- In Warrensville Heights City School District, there was \$11,495 in charges over two audits, including former administrators not properly documenting airfare and hotel expenses.
- At the former Elite Academy of the Arts, \$20,733 in questionable charges in over three audits, including inadequate documents for hotels and airfares.

### **What the bill does**

The bill from Greenspan, a Republican and former Cuyahoga County councilman from Westlake, is also sponsored by Canton Republican Rep. Kirk Schuring. The legislation would require all entities to enact a credit card policy identifying allowable uses, credit limits, number of cards and employees authorized to use them.

The bill would also:

- Require a compliance officer who is not the treasurer to review the accounts and policies
- Ban debit card use -- except for law enforcement for specific purposes, such as obtaining cash to purchase drugs undercover;

- Ask the state auditor to create rules for the disclosure and audit of credit-card rewards in local governments.

There are no penalties in the bill if government officials ignore its provisions.

"I'm not real excited about having penalties for business rules, and this is really a business rule kind of thing," Yost said. "I think most of the time if you fail to adhere to a business rule, you should have a job action, you should have maybe the embarrassment of an audit."

Yost and Greenspan have been discussing credit and debit cards for years.

Greenspan said the bill will protect government employees and the taxpayers.

"It is a practical solution, one that is commonly used in the private sector," he said.

### **Breaking down health-care reform: Ohio Politics Roundup**

Updated on July 27, 2017 at 9:12 AM, Posted on July 27, 2017 at 6:20 AM

*We're breaking down what's happened so far with health-care reform. Ohio U.S. Congressman Jim Renacci's campaign for Ohio governor is getting a boost from a familiar Trump supporter. Ohio executed its first prisoner in three years on Wednesday. Ronald Phillips, convicted of killing a child, died by lethal injection.*

Read more in today's Ohio Politics Roundup.

### **Confused about healthcare reform? You're not alone.**

"Whiplash may occur for some Americans trying to figure out what's going on with the Affordable Care Act," cleveland.com's Stephen Koff writes. "Since the U.S. Senate voted Tuesday to proceed with a possible repeal or replacement of the act better known as Obamacare, some key proposals have already been introduced and battered. One of Ohio U.S. Sen. Rob Portman's signature ideas got swatted down quickly -- one that would help ease Medicaid clients into private insurance -- and it was the reason he said he voted to proceed in the first place."

There's no clear timeline for healthcare reform, either. The process could wrap up quickly, or last weeks. Read more here to catch up on what lawmakers have done so far.

**Readying for 2018:** U.S. Rep. Jim Renacci, a Republican campaigning to become Ohio's next governor, will receive a boost from former Donald Trump campaign manager Corey Lewandowski.

Lewandowski will appear at a Renacci campaign fundraiser next week, BuzzFeed News' Henry J. Gomez writes.

"Trump has not endorsed in the 2018 race to succeed term-limited Gov. John Kasich. But Lewandowski's involvement with the Renacci fundraiser is the latest evidence that the congressman could be the White House favorite," Gomez writes.

Lewandowski is speaking next week at the City Club of Cleveland, and the outcry has been fierce.

**More on Renacci:** Renacci is expected to deliver a commencement address next week to participants of the Cleveland Youth Empowerment Program -- which helps young people explore career options.

**Execution:** Ohio carried out its first execution in three years on Wednesday, cleveland.com's Jackie Borchardt reports.

Akron child killer Ronald Phillips died by lethal injection at the Southern Ohio Correctional Facility in Lucasville.

"There were no complications, and witnesses said Phillips showed no signs of gasping, choking or struggling," Borchardt writes. "Phillips was the first Ohio prisoner to die by a new three-drug cocktail including midazolam, a sedative involved in problematic executions in several states. Executions have been on hold in Ohio since January 2014, when Preble County man Dennis McGuire took an unusually long 26 minutes to die with a two-drug combo including midazolam.

"Phillips and two other death-row inmates sued the state over the proposed method. The U.S. Supreme Court denied their final appeals late Tuesday night.

"Assistant public defender Allen Bohnert said Wednesday's seemingly smooth execution does not mean Phillips felt no pain. Bohnert said officials administered the second drug, a paralytic, so soon it masked any ill effects felt by the third drug," Borchardt writes.

"Ohio once again experimented with a drug that overwhelming scientific consensus says cannot render the inmate unconscious and insensate to the undisputedly unconstitutional pain and suffering from the second and third drugs," Bohnert told reporters after the execution.

**Transgender people in the U.S. military?** Trump said that transgender people would not be able to join the U.S. military, "in any capacity," cleveland.com's Sabrina Eaton writes.

"Our military must be focused on decisive and overwhelming victory and cannot be burdened with the tremendous medical costs and disruption that transgender in the military would entail," he tweeted.

"A review by Military Times found the Pentagon spends more than \$80 million yearly on prescriptions for Viagra and other erectile dysfunction drugs - ten times the estimated cost of caring for transgender troops," Eaton writes.

"It is appalling to see what lengths this President will go to divide us," said a statement from Niles-area Democrat Tim Ryan. "These citizens put their lives on the line to preserve the freedom of all Americans. Today it may be transgender Americans. Tomorrow it will be another group that President Trump demeans in order to deflect attention from his legislative impotence."

**Smile!** You're on camera. The Ohio Supreme Court ruled on Wednesday that three provisions of a 2015 law regulating red-light and speeding cameras are unconstitutional, cleveland.com's Karen Farkas writes.

"In a 5-2 victory for cities' home rule, the court agreed with Dayton's constitutional challenge to parts of the law, which took effect more than two years ago," Farkas writes. "Dayton challenged three provisions: requiring a law enforcement officer be present; prohibiting a fine to a driver caught speeding by a traffic camera unless the driver exceeded the speed limit by 6 miles per hour or more in a school or park zone or by 10 mph in other areas; and directing a municipality to perform a safety study and conduct a public information campaign prior to using a camera. At issue was whether camera restrictions violated the Ohio constitution's protections of home rule power."

**How cities are reacting:** "Akron may reinstate cameras in school zones, said city spokeswoman Ellen Lander-Nischt. During the 2016-2017 school year, only some of those speed cameras were used, and a police officer sat near the camera," cleveland.com reporter Jane Morice writes.

Akron's happy with the result, and so is Newburgh Heights Mayor Trevor Elkins. His city is using cameras on side streets and a stretch of I-77.

"We have believed from Day 1 that there should be a set of rules that everybody follows, and we've also believed from Day 1 that the provisions overturned by the Supreme Court today were unconstitutional. This is a victory for home rule and for safety," Elkins said in an interview Wednesday. "It's a good thing that our officers can be assigned to other duties; that's the point of their duty to begin with."



**Beautiful Buckeye:** U.S. Rep. Marcia Fudge's staffer Lewis Myers made The Hill's 50 Most Beautiful List this year. Congrats!

**Cracking down on cards:** "State Rep. Dave Greenspan introduced a bill in the Ohio Statehouse on Wednesday that would require local governments to establish credit and debit card policies, after studies by State Auditor Dave Yost's office found misuse - including \$34,000 in Cuyahoga County since 2011," cleveland.com's Hancock writes. "Statewide, local government audits in the past six years found at least \$1.2 million in public money was misspent or stolen through credit card abuse, Yost said during a press conference describing the bill and local government audits."

**Soul searching:** Democrats in Ohio are trying to reconnect with voters in Ohio after Trump's election, according to a report in Reuters. But many aren't quite sure how to, yet.

"In Ohio, as in other politically competitive 'swing' states that Democrats won in 2012 but lost in 2016, Democrats are struggling to come up with a clear message and identity to win back the voters they lost," Reuters reports. "Listening to voters is the key to moving forward, some three dozen Democratic Party members across Ohio said in interviews. But there was little consensus on how to win over those voters."

**EMILY's List targets Chabot, Joyce:** The powerful political action committee, which helps elect Democratic women who support abortion rights, is training its sights on unseating Ohio GOP Congressmen Dave Joyce and Steve Chabot. EMILY's List is currently working to recruit a challenger to run against Chabot in Ohio's 1st Congressional District, Leila McDowell, the group's vice president of communications told cleveland.com's Jeremy Pelzer. (Democratic state Rep. Alicia Reece has talked about potentially running against Chabot, but McDowell said she didn't know whether her organization was working to specifically recruit Reece).

In the 14th congressional district, McDowell said EMILY's List is "very excited" about Democratic candidate Betsy Rader and is working to help her defeat Joyce.

Besides recruitment, EMILY's List also plans to start airing ads against Chabot and Joyce closer to Election Day, as well as raise money for their opponents, McDowell said.

Chabot and Joyce are two of 50 GOP incumbents whom EMILY's List has identified as top targets in 2018, according to a release issued Thursday.

**Drug issue:** Former State Sen. Nina Turner backed an Ohio ballot measure that seeks to reduce state spending on prescription drugs. Her support follows Vermont U.S. Sen. Bernie Sanders' endorsement of the measure. Turner supported Sanders during the 2016 Democratic presidential primary.

"Excessive corporate greed is killing Ohioans. Huge drug companies are making record breaking profits, meanwhile everyday people can't afford their prescriptions, so they don't take them or they have to choose between medicine and food on the table. How is that health care?" Turner said in a statement. "Enough is enough. Ohioans need to vote Yes on Issue 2 this November to lower drug prices and take control back from these drug companies."

## THE ENQUIRER

### How many pot dispensaries will your Ohio county get?

Published 4:42 p.m. ET July 26, 2017 | Updated 4:44 p.m. ET July 26, 2017

Hamilton County will get at least three of the 60 dispensaries to be licensed across the Buckeye State under Ohio's medical-marijuana program, the state announced Wednesday.

The Board of Pharmacy, one of the three state agencies rolling out Ohio's program, divided the state into four quadrants then into smaller districts by county to place the dispensaries.

Cuyahoga and Franklin counties by themselves will each get five dispensaries, and Montgomery County will get four. Butler, Preble and Drake counties will share one dispensary, as will Warren, Clinton and Clermont counties.

In announcing the list, the Board of Pharmacy said the proposed placement depended on, among other things, Ohio's population, the potential patient population and access to roadways.

Actual locations of dispensaries have not been decided yet. The Board of Pharmacy is accepting public comment on the draft medical marijuana dispensary districts until Aug. 11. Comments may be submitted to [MMCPRules@Pharmacy.Ohio.gov](mailto:MMCPRules@Pharmacy.Ohio.gov).

Ohio's medical-marijuana program is scheduled to open for business in September 2018. Two weeks ago, the state released the list of 185 applicants for the 24 cultivation licenses that the state will issue.

## THE BLADE

*One of America's Great Newspapers*

## **Traffic cameras given a green light by Ohio Supreme Court**

Published on July 27, 2017 | Updated 8:14 a. m.

The Ohio Supreme Court upheld the city of Dayton's use of stationary traffic-enforcement cameras, striking down several state provisions that limited how cities could use them.

The justices voted 5-2 in a ruling Wednesday that should secure Toledo's use of stationary red light and speed enforcement cameras.

"Home rule is the big principle involved here," Toledo Law Director Adam Loukx said, adding that the decision means the status quo will be maintained for the city's 43 fixed-location traffic cameras.

The city of Dayton had challenged a state law that took effect in 2015, saying it improperly limited local control and undercut camera enforcement that has made cities safer. The court struck down provisions that required a police officer to be present at the location of a traffic camera, that the fines cannot be issued unless a driver is traveling more than 10 mph over the speed limit in most areas, and that required cities conduct a safety study and public information campaign before the cameras are used.

The plurality opinion, written by Justice Pat Fischer, said those three provisions of a 2014 state law "unconstitutionally limit the municipality's home-rule authority without serving an overriding state interest." That opinion was joined by Justice Maureen O'Connor and 5th District Court of Appeals Judge Craig Baldwin, who sat for Justice Terrence O'Donnell. Justice O'Donnell recused himself from the case without explanation.

Justice Judith French concurred, and was joined by Justice Sharon Kennedy. Together, these five made up the majority in the case, with Justices William O'Neill and Pat DeWine dissenting.

"As in many cases in this area, the result today seems to have everything to do with the policy preferences of the majority and nothing to do with the language of the Home Rule Amendment," Justice DeWine said. He is the son of Attorney General Mike DeWine, and has said he will only recuse himself from cases argued personally by his father.

Critics say cities use the cameras to boost revenues while violating motorists' rights. The city of Toledo budgeted \$2 million in revenue from the fixed cameras, and has collected \$881,543 through the end of June. Halfway through the fiscal year, the city has collected only 44 percent of the its budgeted amount. That contrasts with the handheld speed cameras used by Toledo police, which have brought in more than \$2.2 million through the end of June, or 96.7 percent of the \$2.3 million budgeted for 2017.

Toledo police spokesman Sgt. Kevan Toney said no decisions have been made on how department practice could shift because of this ruling.

The state's highest court has twice previously ruled for cities on cameras. Mr. Loukx said he expects the city's case, which was pending before the state supreme court until this case was decided, will be decided in the coming days based on the Dayton decision.

That leaves two remaining traffic-camera related cases in the court system. The city sued the state after it enacted a set-off law, which deducted from local government fund payments the amount of money the city collects from any camera ticket that did not comply with the now-struck down state law.

"I think it's moot," Mr. Loukx said. "There's no way the state can order a city to comply with a law the highest court in the state ruled unconstitutional."

Because the issues at stake have to do entirely with state law, Ohio Attorney General spokesman Dan Tierney said there are no further avenues for an appeal.

"Our role is to defend the laws passed by the legislature," he said.

Rep. Teresa Fedor (D., Toledo) voted for the bill in 2014, saying she believed the Ohio General Assembly had the authority to regulate these cameras at the time, but that she is in favor of the decision because it affirmed home rule. She does not support any further state-level steps to regulate city use of traffic cameras.

"Today's ruling was clear," she said. "I like the fact that we have certainty."

State Sen. Randy Gardner (R., Bowling Green) also voted for the regulations, but did not respond to a request for comment.

This case does not settle the ongoing litigation from Bradley Walker, who was ticketed in 2011 and has been battling the fine in court ever since. His current appeal, which has not been accepted by the state supreme court, deals primarily with due process issues connected to the administrative hearing process that settles the camera tickets.

**Ohio completes execution of convicted child killer Ronald R. Phillips**

Published on July 26, 2017 | Updated 1:51 a. m.

LUCASVILLE, Ohio — Convicted child killer Ronald R. Phillips was put to death by the state of Ohio Wednesday with a combination of drugs the state had never used before, but without the complications seen with its last execution.

With the death of Phillips, 43, at 10:43 a.m., Ohio rejoined the handful of states actively carrying out the death penalty after a delay of 3½ years.

During the process, a witness observed a tear drop from Phillips' left eye as he fell asleep.

Phillips was convicted in the 1993 death of Sheila Marie Evans, his Akron girlfriend's 3-year-old daughter. He had repeatedly beaten and raped the child over time until she ultimately died from cardiovascular collapse.

"To the Evans family, I'm sorry. You had to live so long with my evil actions," Phillips said in a shaky voice in his final statement before the girl's half-sister and aunt who witnessed his execution.

### **Upcoming scheduled executions in Ohio**

#### **2017**

(Name, county, scheduled execution date)

Gary Otte, Cuyahoga, Sept. 13, 2017

Raymond Tibbetts, Hamilton, Oct. 18, 2017

Alva Campbell, Jr., Franklin, Nov. 15, 2017

#### **2018**

William Montgomery, Lucas, Jan. 3, 2018

Robert Van Hook, Hamilton, Feb. 13, 2018

Warren K. Henness, Franklin, Mar. 14, 2018

Melvin Bonnell, Cuyahoga, April 11, 2018

Stanley L. Fitzpatrick, Hamilton, May 30, 2018

Angelo Fears, Hamilton, June 27, 2018

David A. Sneed, Stark, August 1, 2018

Cleveland R. Jackson, Allen, September 13, 2018

James Derrick O'Neal, Hamilton, October 10, 2018

John David Stumpf, Guernsey, Nov. 14, 2018

## **2019**

Elwood Hubert Jones, Hamilton, January 9, 2019

James Galen Hanna, Lucas, February 13, 2019

Archie J. Dixon, Lucas, March 20, 2019

Jeffrey A. Wogenstahl, Hamilton, April 17, 2019

Timothy J. Hoffner, Lucas, May 29, 2019

Kareem M. Jackson, Franklin, July 10, 2019

Gregory Lott, Cuyahoga, August 14, 2019

Douglas Coley, Lucas, Sept. 18, 2018

James P. Frazier, Lucas, October 17, 2019

## **2020**

Lawrence Landrum, Ross, February 12, 2020

Stanley T. Adams, Trumbull, April 16, 2020

Romell Broom, Cuyahoga, June 17, 2020

John E. Drummond, Ashtabula, September 17, 2020

**SOURCE:** *Ohio Department of Rehabilitation and Correction*

"All those years, I prayed you'd forgive me and find it in your heart to forgive and have mercy on me," he said. "Sheila Marie did not deserve what I did to her. I know she is with the Lord and she suffers no more. I'm sorry to each and every one of you that you lived with this pain all those years."

The victim's half-sister, Renee Mundell, said, "We have a very forgiving God. ... This is the first time in 24 years that I've seen any remorse from this man."

She had already married and moved away before Sheila's death.

"God forgave him, but I'm sorry. I don't think I can," the child's aunt, Donna Hudson, said. Her sister, Sheila's mother Fae Evans, died of leukemia in 2008 in prison while serving a sentence of 13 to 30 years for involuntary manslaughter in the girl's death.

During the process, witnesses observed a tear drop from Phillips' left eye as he appeared to calmly fall asleep after the drugs began to flow.

There were no signs of the problems that accompanied Ohio's last execution on Jan. 16, 2014, of Dennis McGuire, of Preble County, using a two-drug process the state had never used before and abandoned afterward.

Witnesses had described McGuire as making choking and snorting sounds and struggling against his restraints in the unusually long 26 minutes after the drugs were administered.

The drugs to Phillips began to flow at 10:31 a.m. He was pronounced dead 12 minutes later. Media witnesses described him calm and remorseful but also scared. Before the drugs began to flow he gave a thumbs-up to his brother and other witnesses who had attended the execution to support him.

After years of delays, Ms. Mundell said, "I'm hoping that we have opened the door [for other executions]. ... There was no doubt in anyone's mind for 24 years that this man did what he was accused of doing."

This time the state used a combination of three drugs it has never used before as a trio — the sedative midazolam to put him to sleep, rocuronium bromide to shut down breathing, and then potassium chloride to induce cardiac arrest.

Midazolam was one of the two drugs used in the McGuire execution, and it was involved in executions in other states where there were problems similar to those seen with McGuire.

Lawyers for Phillips and two other death row inmates with pending executions this year argued in court appeals that midazolam could not be relied upon to induce deep and lasting unconsciousness so that the condemned would not experience unconstitutionally cruel and unusual pain from the follow-up drugs.

The U.S. Supreme Court on Tuesday denied Phillips' two last-minute requests for stays.

On Tuesday, Phillips had pizza, Pepsi, and strawberry shortcake for his last dinner, but he passed on breakfast Wednesday. However, he requested grape juice and unleavened bread that was later used for communion with his spiritual adviser.

He visited with friends, prayed, and read the Bible while awaiting his scheduled time of execution.

One of his attorneys, Timothy Sweeney, said Phillips earned a certificate as a minister while in prison and had written what he'd hoped would someday be his first sermon. It was entitled "My People."

"Ron Phillips committed an unspeakable crime when he was 19 years old and was himself the product of a home filled with abuse and neglect," Mr. Sweeney said. "But the grown man who woke up this morning at age 43, ready to face his punishment, did not in any way resemble that troubled and broken teen.

"He had grown to be a good man, who was thoughtful, caring, compassionate, remorseful, and reflective," he said.

Phillips repeatedly had execution dates scheduled only to see them delayed by the courts or by Gov. John Kasich as the state struggled to find the lethal injection drugs it would prefer to use — the powerful barbiturates pentobarbital and sodium thiopental.

Unless the state does obtain supplies of its preferred drugs, the new triple mix is likely to remain Ohio's protocol for future executions.

Gary Mohr, director of the Ohio Department of Rehabilitation and Correction, said the execution team at the Southern Ohio Correctional Facility in Lucasville held 18 separate rehearsals in preparation for Phillips' execution in order to comply with both department rules and federal court directives.



The next execution is scheduled for Sept. 13. Gary Otte, who was also a plaintiff with Phillips in the latest court challenges, was convicted in the 1992 shooting deaths of two Parma residents during separate home robberies.

The next execution involving an inmate from northwest Ohio is set for Jan. 3, 2018. William Montgomery was convicted in the 1986 murders of Toledo roommates Debra Ogle, 20, and Cynthia Tincher, 19.

### **Editorial: All jobs should be welcome...including those connected to medical marijuana**

Published on July 27, 2017

A new industry may be coming to Toledo: growing marijuana. It won't cure all ills — medically or economically — but productive jobs should always be welcome.

State bureaucrats have received applications from 185 businesses that want to grow marijuana legally in Ohio. It's a competitive process: Only 12 licenses are available for 25,000-square-foot growing facilities, and another 12 for facilities up to 3,000 square feet. Successful applicants can seek to expand their facilities later, according to the Ohio Medical Marijuana Control Program's website.

The licenses are costly. A small-facility license costs \$20,000 per year, \$2,000 of which even unsuccessful applicants must pay. Those who want large facilities must pay 10 times as much.

Among the proposed sites are eight in Toledo. One is a century-old derelict warehouse. It could be transformed. "We're talking about using state-of-the-art glass technology in order to use natural sunlight," said Eric Mitchell, medical director of AgriMed, a Pennsylvania medical-marijuana company. Dozens of people would be employed. Shakil Siddiqui, of HMS Health, which has two other locations in mind, sees its project creating 30 jobs.

Unemployment in Toledo is above the national average. The preliminary figure for May is 5.3 percent — or 16,300 people.

Thirty jobs is a small bite out of that, but it would be welcome.

And really, what's the drawback? Helping cancer patients endure their pain is a good thing. Providing an alternative to opioid painkillers could save some patients from addiction.

Will thieves try to steal the pot for recreational use? Perhaps. But like all businesses, marijuana cultivators will have an incentive to protect their property. And the state's decision to make cultivation licenses competitive and expensive should ensure that the companies that get them are responsible ones.

There is going to be medical marijuana in Ohio. That is certain. Toledo should welcome the jobs it could create here.

## **Henson, Libby**

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**From:** Cho, Joy  
**Sent:** Thursday, July 20, 2017 9:28 AM  
**To:** Westlake, Libby  
**Subject:** RE: E-Clips for 7/20/2017  
**Attachments:** E-clips (Jul20-17).docx

**From:** Westlake, Libby  
**Sent:** Thursday, July 20, 2017 8:55 AM  
**To:** Westlake, Libby <Libby.Westlake@ohiohouse.gov>  
**Subject:** E-Clips for 7/20/2017

# **HOUSE E-CLIPS 7/20/2017**

## **AP Associated Press**

### **SURVEY: CAMPUS SEXUAL MISCONDUCT TRAINING INCREASES IN OHIO**

The percentage of students on Ohio's public and private four-year campuses who reported being trained in sexual assault prevention nearly doubled during the past year, according to a survey being released Wednesday.

### **TRUMP TO RALLY IN OHIO'S BLUE-COLLAR YOUNGSTOWN ON TUESDAY**

President Donald Trump is returning to the blue-collar Ohio city where frustrated former Democrats crossed party lines last year to help send him to the White House.

## **The Columbus Dispatch** *Ohio's Greatest Online Newspaper*

### **BILLIONS IN STATE TAX BREAKS GOING UNEXAMINED, DESPITE NEW LAW**

Eight months ago, state lawmakers approved the creation of a board designed to take a hard look at the more than \$9 billion in annual tax credits, deductions and exemptions in Ohio's tax code.

### **EDITORIAL: OWN A GUN? LOCK IT UP**

Emergency-department pediatricians such as Sarah Denny of Nationwide Children's Hospital and Michael Gittelman of Cincinnati Children's Hospital Medical Center are heartsick at the number of children they see horribly injured by firearms.

## **Dayton Daily News** [www.daytondailynews.com](http://www.daytondailynews.com)

### **OHIO SENATOR WANTS FEDS TO LIFT PROHIBITION ON MARIJUANA**

The state senator who helped push through Ohio's medical marijuana law wants to ask U.S. Attorney General Jeff Sessions, the Drug Enforcement Agency and the U.S. Congress to re-classify cannabis.

## **THE PLAIN DEALER**

### **KEN BLACKWELL DEFENDS HIS WORK ON TRUMP'S ELECTION INTEGRITY COMMISSION, PAST WORK IN OHIO**

Even though Ken Blackwell has retired from elected office, the 69-year-old former Ohio Secretary of State and Cincinnati mayor is back at the center of election-related controversies.

### **ENVIRONMENTALISTS SUE EPA TO DESIGNATE OHIO'S PORTION OF LAKE ERIE 'IMPAIRED'**

Advocacy groups are challenging the federal Environmental Protection Agency's decision to accept Ohio's assertion that its portion of Lake Erie does not meet the definition of impaired waters.

### **OHIO DEATH PENALTY OPPONENTS URGE GOV. JOHN KASICH TO POSTPONE EXECUTIONS**

Death penalty opponents on Wednesday called on Gov. John Kasich not to resume executions next week after a 3 1/2-year hiatus.

### **RICHARD CORDRAY IS RUNNING FOR OHIO GOVERNOR, SUPREME COURT JUSTICE WAS TOLD**

Former Ohio Attorney General Richard Cordray is going to run for governor of Ohio, Ohio Supreme Court Justice Bill O'Neill said he was told last week by a mutual friend.

### **THE 2018 BUZZ SURROUNDING RICHARD CORDRAY IS INTENSIFYING: OHIO POLITICS ROUNDUP**

Fresh Richard Cordray rumors inject intrigue into the 2018 Ohio governor's race. Rob Portman is identified as the "spine" of opposition to the Obamacare repeal and replace bill. And Ken Blackwell defends his work on Trump's "voter fraud" commission.

## **THE ENQUIRER**

### **CORDRAY FOR GOVERNOR? ONE TOP DEMOCRAT HAS NO DOUBTS**

Ohio Democrats' sole officeholder at the state level says he has no doubts former Ohio Attorney General Richard Cordray will run for governor.

## **THE BLADE** One of America's Great Newspapers

### **GOV. JOHN KASICH URGED TO BLOCK OHIO'S PLAN TO RESUME EXECUTIONS**

Representatives of the faith community, correctional officers, victims' families, and exonerated death row inmates joined forces Wednesday to urge Gov. John Kasich to block Ohio's plan to resume carrying out executions next week.

# HOUSE CLIPS



7/20/17

**Survey: Campus sexual misconduct training increases in Ohio**

Today

COLUMBUS, Ohio (AP) — The percentage of students on Ohio's public and private four-year campuses who reported being trained in sexual assault prevention nearly doubled during the past year, according to a survey being released Wednesday.

The second-year results of Ohio's statewide campus climate survey were obtained by The Associated Press ahead of their planned release.

They show 30 percent of students at public universities said they received training last year on sexual misconduct prevention compared with 56 percent who said they received training this year. At private colleges, more than 65 percent of students now report having taken such training, up from about 34 percent in 2016.

The findings are part of the Ohio Department of Higher Education's Changing Campus Culture initiative. The state has allotted \$2 million to help colleges and universities tackle issues of sexual violence on college campuses.

Last year's survey found that 21 percent of public university students and 18 percent of private college students had been told by a friend or acquaintance that the student had been sexually assaulted. The term was defined to include rape, sexual harassment and stalking.

This year's survey doesn't contain a comparative figure. Instead, project manager Kerry Soller said questions were revised to gain information on students' individual experiences, with the goal of helping institutions target resources where they're needed.

Resulting statistics show:

- 7 percent of public university respondents and 5 percent of private college respondents reported experiencing non-consensual intercourse since attending college.
- 9 percent and 6 percent, respectively, reported experiencing intimate partner violence.
- 34 percent and 15 percent, respectively, reported experiencing sexual harassment since attending college.

— 15 percent and 13 percent, respectively, reported experiencing non-consensual sexual contact.

— 6 percent and 8 percent, respectively, have experienced stalking.

The survey also showed students are increasingly involved in activities on campus that seek to address sexual misconduct. More than 350 students from across the state attended a state-sponsored summit in November to learn how to become active in changing campus culture.

—  
This story has been corrected to show the share of private college students who reported prevention training in 2016 was 34 percent, not 40 percent.

### **Trump to rally in Ohio's blue-collar Youngstown on Tuesday**

Today

COLUMBUS, Ohio (AP) — President Donald Trump is returning to the blue-collar Ohio city where frustrated former Democrats crossed party lines last year to help send him to the White House.

The Republican president will appear in Youngstown Tuesday night for an event at the Covelli Centre.

The rally will come days after an Ohio visit by Vice President Mike Pence, who is featured at the annual dinner of the Ohio Republican Party on Saturday.

Both visits come amid continuing tensions between the Trump administration and Ohio Gov. John Kasich, a fellow Republican who's become a leading voice against congressional efforts to date for replacing the Affordable Care Act.

In a steady stream of national interviews, op-eds and letters to Congress, Kasich has hammered home the need for bipartisanship in Washington to reach an acceptable compromise.

The 2016 presidential candidate is a Trump critic and just last week sparred with Pence, too, over the governor's defense of Medicaid expansion made available to states under the federal health care law.

Pence called Kasich out during the National Governors Association meeting Friday. He said that, under Ohio's Medicaid expansion, "nearly 60,000 disabled citizens are stuck on waiting lists, leaving them without the care they need for months or even years."

Kasich rejected the claim as false and misleading. Pence has since retreated on his position.



The governor does not plan to attend Saturday's GOP dinner featuring Pence, citing a family obligation.

General admission tickets to the Trump rally are available online and are available on a first-come basis. Up to two tickets may be requested per mobile phone number.

## **The Columbus Dispatch**

*Ohio's Greatest Online Newspaper*

### **Billions in state tax breaks going unexamined, despite new law**

Posted Jul 19, 2017 at 11:06 AM, Updated Jul 19, 2017 at 3:04 PM

Eight months ago, state lawmakers approved the creation of a board designed to take a hard look at the more than \$9 billion in annual tax credits, deductions and exemptions in Ohio's tax code.

Not only has there not been a meeting scheduled yet, as of Tuesday mid-afternoon legislative leaders hadn't appointed a single person to the Tax Expenditure Review Committee.

"It's past time for the General Assembly to get serious about limiting or eliminating unneeded tax breaks," said Zach Schiller, research director for the liberal Policy Matters Ohio. "A first step is for legislative leaders to name members to the committee and for it to start work."

After Schiller's press release, and follow-up calls by the media, Senate President Larry Obhof, R-Medina, named his three members to the panel late Tuesday afternoon. Speaker Cliff Rosenberger, R-Clarksville, followed on late Wednesday morning.

Passed unanimously in December, House Bill 9 required that the committee hold its first meeting by June 19, one month ago today.

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The committee is supposed to cycle through Ohio's deductions, credits and exemptions — also known as state tax expenditures. Each is to be reviewed at least once every eight years to determine if they are meeting policy objectives, have impacted economic development, or if their goals can be better accomplished in other ways.

The committee's first report is due in about 11 months.

The House caucus devoted attention to state taxes during the budget process, which ended in late June, said Brad Miller, spokesman for Rosenberger. The idea of the committee is to study tax expenditures outside the budget process.

"The first six months of this year would fall under the category of budget process," Miller said. "This was a challenging budget cycle. Where all areas of the state's tax structure would be a significant part of any budget cycle, it was especially true this year."

The idea of studying Ohio's tax expenditures has been kicked around for several years. But despite its growing impact on tax collections, majority lawmakers usually prefer to add tax expenditures rather than study existing ones. Three weeks ago, Gov. John Kasich vetoed two sales tax exemptions added to the budget, aimed at data processing/computer services and optical aides.

Studying Ohio's tax credits and deductions can be politically difficult, conjuring up the old adage, "don't ask questions you don't want the answers to."

Even if there are good arguments to eliminate certain tax credits or deductions, each one was implemented for a reason, and the special interest group that pushed for it fights hard to keep it alive.

Two-thirds of state tax expenditures are in the sales tax. GOP lawmakers have repeatedly rejected Kasich's proposals to expand the sales tax onto exempted products and services, such as lobbying.

Some of the biggest sales tax exemptions include sales to churches and certain nonprofits, property used in manufacturing, prescription drugs, and equipment purchased by electricity providers, farmers and mining companies.

In addition to Policy Matters and the Center for Community Solutions, the Ohio Society of CPAs also has advocated an examination of the tax expenditures. From 2016 to 2019, it's estimated that income tax expenditures will grow nearly 22 percent to \$2.4 billion.

In a report last year to the Ohio Tax Reform Tax Force, the CPAs group noted that many tax expenditures "impact a limited-time event or limited number of people."

If lawmakers want to lower the overall income tax rate, credits and deductions are a good place to look to offset revenue loss, the CPAs said. A flat tax, with few credits or deductions, the group said, is cleaner and more transparent.

The CPAs also question Ohio's largest income tax deduction, which allows pass-through business owners to pay no tax on the first \$250,000 of income, costing the state nearly \$600 million per year in revenue.

"It will be difficult to directly correlate the level of increased business investment in response to this tax expenditure," the CPAs wrote. "Should the legislature consider an overhaul of the entire personal income tax system for all taxpayers, not just for business owners?"

Senate Democrats this year pushed to repeal the business exemption — and an additional 40 percent tax cut for business income over \$250,000 — but were rebuffed by majority Republicans.

Named to the panel were Sens. John Eklund, R-Chardon, chairman of the Ways and Means Committee, Scott Oelslager, R-Canton, chairman of the Finance Committee, and Vernon Sykes, D-Akron, the longest-serving Senate Democrat. They are joined by Reps. Tim Schaffer, R-Lancaster, chairman of the House Ways and Means Committee, Gary Scherer, R-Circleville, a CPA and vice-chairman of Ways and Means, and John Rogers, D-Mentor-on-the-Lake, top-ranking Democrat on Ways and Means.

### **Editorial: Own a gun? Lock it up**

Posted at 12:01 AM, Updated at 6:24 AM

Emergency-department pediatricians such as Sarah Denny of Nationwide Children's Hospital and Michael Gittelman of Cincinnati Children's Hospital Medical Center are heartsick at the number of children they see horribly injured by firearms. At Nationwide Children's, gunshot wounds are the leading cause of accidental death — more than car accidents. Curious children find their parents' "hidden" and unsecured guns and think it's a toy, or teens in an impulsive moment use the guns in a suicide attempt, leading to catastrophic injuries or death.

The standard practice of pediatricians talking to parents about gun safety wasn't doing enough to prevent these tragedies. Then Denny and her colleagues had an insight: Could they find common ground with Second Amendment-rights groups and put aside the politics to work together on practical measures to save children?

"We said, 'Why can't we get together and agree on just a couple of issues about guns?' " Denny said. "Can't we all agree that we don't want children hurting themselves and killing themselves with firearms? And that we want to prevent pediatric/teen suicide?"

The result is the new Partnership for Safety of Children Around Firearms, which takes a practical approach to saving lives. Other issues — gun rights, mental health and gangs — aren't on the table. The

group's tightly focused "Store it Safe" campaign has one simple message: If you own a firearm, keep it locked up. Gun boxes and safes are relatively inexpensive and can be accessed quickly in an emergency. Just as parents buckle their children in car seats, they need to take this protective measure to keep youngsters safe from firearms.

The Partnership, led by the Ohio Chapter of the American Academy of Pediatrics, has a broad coalition of members, including (to name a few) the Columbus Division of Police, the Buckeye Firearms Association and the Blackwing Shooting Center.

The partnership has produced tangible results: Kiwanis Club of Columbus provided \$10,000 to purchase gun-lock boxes to hand out at well-child visits for preschoolers at several Nationwide Children's Hospital pediatric offices in central Ohio. And members have learned from each other.

Doctors were surprised to find out that their routine inquiries to parents about gun ownership, which they saw as nonjudgmental, might have come off as offensive or intrusive. Asking "Do you have a gun in the home?" puts some on the defensive. And some gun owners were suspicious that doctors were documenting their answers, when the physician was simply noting the subject had been discussed.

It's better, said firearms trainer Andy Loeffler, to simply say, "If you own a gun, follow these practices," and to discuss gun safety in the same context as swimming pools, playgrounds and every other potential childhood hazard.

"It really did help us re-frame the way we talk to families," Gittelman said.

Loeffler and Dean Rieck, executive director of Buckeye Firearms Association, also want to make their message of responsible gun ownership resonate beyond their traditional membership — experienced gun owners who tend to be responsible. "Previous to this, we were preaching to the choir," Loeffler said. "The messages were never really going to the people who hadn't heard it before."

Said Gittelman, "We are all saying the same thing for once — we are not pointing fingers at each other."

It's a winning strategy. In the current political climate, American is divided on many fronts. Keeping children safe from guns can't be one of them.

**Dayton Daily News**  
www.daytondailynews.com

**Ohio senator wants feds to lift prohibition on marijuana**

Updated 5:17 p.m Wednesday, July 19, 2017

COLUMBUS – The state senator who helped push through Ohio’s medical marijuana law wants to ask U.S. Attorney General Jeff Sessions, the Drug Enforcement Agency and the U.S. Congress to re-classify cannabis.

State Sen. Kenny Yuko, D-Richmond Heights, introduced a resolution in the Ohio Senate on Wednesday that would make a formal request to the feds to drop marijuana from the list of controlled substances.

The resolution, which would have to pass both the Ohio House and Senate, doesn’t carry much clout. It is a mechanism for sending a message on an issue.

Ohio and 28 other states have embraced medical marijuana programs, even though the drug is still considered illegal under federal Controlled Substances Act. The prohibition makes clinical studies about marijuana’s medical benefits more difficult, the resolution said. Likewise, it makes getting health insurance to cover medical marijuana and getting banks to handle financial transactions more difficult, the resolution said.

Ohio’s medical marijuana law, signed by Gov. John Kasich in June 2016, took effect in September.

While the Obama administration took a hands-off approach on medical marijuana in states with well regulated programs, the Trump administration seems to be taking a different stance.

“Drug traffickers already cultivate and distribute marijuana inside the United States under the guise of state medical marijuana laws,” Sessions wrote in a May 1 letter to Congressional leaders.

Under Ohio’s new program, three state agencies — Department of Commerce, Board of Pharmacy and State Medical Board — will oversee regulations for growers, doctors, patients and dispensaries.

State authorities are currently writing rules for processors, testing labs and dispensaries and are considering applications from companies vying for 24 cultivator licenses.

Among applications for cultivator licenses are several companies that want to set up operations in the Miami Valley.

## **THE PLAIN DEALER**

**Ken Blackwell defends his work on Trump’s Election Integrity Commission, past work in Ohio**  
Posted on July 19, 2017 at 9:56 AM

WASHINGTON -- Even though Ken Blackwell has retired from elected office, the 69-year-old former Ohio Secretary of State and Cincinnati mayor is back at the center of election-related controversy.

In May, President Donald Trump appointed Blackwell to serve on a Presidential Advisory Commission on Election Integrity -- which critics denounce as a way for Trump to ply his proofless theory that millions of illegal votes in last year's presidential election diminished the size of his victory.

The group's first public meeting is today. But the American Civil Liberties Union and Electronic Privacy Information Center have already sued over the group's information requests from state election boards. Several states have refused to provide the requested data, which includes voters' names, addresses, birthdates, partial Social Security numbers, and whether they're convicted felons.

In Ohio, Secretary of State Jon Husted said he will provide public information, but not confidential data, including Social Security and driver's license numbers.

Blackwell says he looks forward to serving on the bipartisan commission chaired by Vice President Mike Pence, which he views as "a brilliant opportunity to catalog new threats and vulnerabilities associated with our election system."

"We have an opportunity, if we work in a very bipartisan way, to look at ways where working more cooperatively will safeguard the ballot of voters who have legally cast them from foreign and domestic threats," says Blackwell, who predicts the commission's work will take at least two years.

Serving on the committee has made Blackwell the target of renewed claims that he tried to disenfranchise voters when he was Ohio's top election official. Blackwell, a former boxer who wrestled a bear for charity during his days as Cincinnati mayor, is vigorously fighting such claims on social media and in television interviews.

"If smear was art, @latimes and @kurtisalee would be in the same league as da Vinci," Blackwell posted on Twitter, after a Los Angeles Times piece recalled a long-ago kerfuffle over the Ohio Secretary of State's office accidentally revealing people's Social Security numbers on its website.

Blackwell says the information was posted online due to a "glitch" that was corrected before any data was exploited. He noted his own Social Security information was among the millions that were compromised when hackers stole information from federal personnel databases, saying "unfortunately, stuff like that happens."

"There is human error, and on the other hand there is human genius of a criminal nature and you have to be smarter than the criminal minds," says Blackwell. "That's exactly what we have to figure out in this commission. Folks are concentrating on the Russians and they should be concerned about the Russians but I think we also need to be concerned about the Chinese."

Blackwell says the commission must catalog all the "threats and vulnerabilities out there," and keep up with new ones that are created. He views cleaning up voter rolls as a critical measure to protect against fraud.

"If you have voting by mail and you have someone who is dead voting, you won't know it if the voter rolls haven't been cleared up," says Blackwell. "That is real potential for fraud."

Blackwell says he doesn't believe the election commission was created to "validate or invalidate the President's assertion that there were 3 to 5 million illegal voters" in last year's election, but he says there's reason to believe it might have happened.

In a column posted Monday on a right wing website, Blackwell argues: "Counties across the country have more people registered to vote than they have residents eligible to do so. Some jurisdictions have on their rolls voters who've reached their 200<sup>th</sup> birthday and beyond. Thousands of non-citizens have been found to be registered to vote and across the nation. But that number may well reach into the millions."

Since losing his bid for Ohio governor in 2006, Blackwell has served as a senior fellow at the Family Research Council, a visiting professor at the Liberty University School of Law, and a frequent media commentator. He served as a domestic policy advisor to Trump's presidential transition team, and sits on the boards of groups including the National Rifle Association, Club for Growth and National Taxpayers Union.

"I'm not looking to retire anytime soon," Blackwell says. "I stay on my toes, as I did in my old boxing days."

### **Environmentalists sue EPA to designate Ohio's portion of Lake Erie 'impaired'**

Updated on July 19, 2017 at 5:27 PM, Posted on July 19, 2017 at 12:37 PM

CLEVELAND, Ohio -- Advocacy groups are challenging the federal Environmental Protection Agency's decision to accept Ohio's assertion that its portion of Lake Erie does not meet the definition of impaired waters.

The Ohio EPA did not include the state's open waters on a list of impaired waterways when it submitted the list to the U.S. EPA last fall.

The federal EPA approved the list May 17 and both the state and federal agencies' decisions were met with criticism from environmentalists who say the designation is necessary to curb the encroachment of harmful algal blooms.

The Environmental Law & Policy Center and Advocates for a Clean Lake Erie contends in a lawsuit filed Tuesday that the federal EPA's decision violates the Clean Water Act. More confounding is that the list of impaired waterways the state of Michigan submitted to the federal EPA included its portion of Lake Erie, and the agency approved Michigan's list, the suit says.

The lawsuit asks a judge to force the federal EPA to rescind its approval of Ohio's list and to classify Lake Erie as impaired.

*(You can read the full lawsuit here or at the bottom of this story.)*

The EPA said in a statement that it is not appropriate to comment on pending litigation.

Lake Erie's most significant pollutants comes from fertilizers running off into the lake, primarily by way of the Maumee River in Toledo.

That pollution tainted the area's supply of drinking water in the past. In 2014, 400,000 Toledo area residents were temporarily without drinking water after harmful toxins from algal blooms fouled the water supply.

Ohio EPA Director Craig Butler told cleveland.com in May that the impaired waters designation is "immaterial." He noted that portions of the lake close to the Ohio shore, and include water intakes that supply drinking water to Toledo and elsewhere, were deemed federally impaired.

He also said Ohio, Michigan and Ontario already have a collaborative agreement that calls for reducing harmful nutrient runoff into the lake by 40 percent by 2025. While the agreement doesn't call for penalties if the goal is not met, Butler said the agriculture community in Ohio has been put on notice that failure will likely result in more forceful action.



Environmentalists disagree. The lawsuit filed Tuesday says "listing waters as impaired is an important first step in addressing pollution," as it then forces officials to develop a plan to restore the body of water.

"Without the impairment designation, Ohio is likely to continue relying on unenforceable, voluntary measures to reduce phosphorus pollution that won't do enough to fix the problem," Madeline Fleisher, the Environmental Law & Policy Center's staff attorney, said in a news release.

The case is assigned to U.S. District Judge Jeffrey Helmick in Toledo.

A May budget document from President Donald Trump proposed eliminating \$300 million worth of federal programs to clean up the Great Lakes, arguing they've received "significant" federal money and oversight and that state and local groups are capable of managing their welfare.

The U.S. House of Representatives Appropriations Committee restored the money for the 2018 budget, but the budget has a long way to go before it is passed.

### **Ohio death penalty opponents urge Gov. John Kasich to postpone executions**

Updated on July 19, 2017 at 1:37 PM, Posted on July 19, 2017 at 1:35 PM

COLUMBUS, Ohio -- Death penalty opponents on Wednesday called on Gov. John Kasich not to resume executions next week after a 3 1/2-year hiatus.

Ohioans to Stop Executions delivered 27,503 signatures to Kasich's office, urging the Republican governor to postpone the state's 27 scheduled executions. The petition calls for better safeguards to prevent innocent people from being sentenced to death, including 2014 recommendations from the Ohio Supreme Court's death penalty task force.

Retired Dayton-area Judge James Brogan, who chaired the task force, said executions should not resume before state legislators consider the 56 recommendations from the panel.

"This lack of action is disconcerting and will enable the core problems we identified to continue and potentially lead to wrongful death penalty convictions," Brogan said in a statement.

Executions have been on hold since January 2014, when Dennis McGuire took 26 minutes to die using a new and untried lethal-injection cocktail involving midazolam, a sedative, and hydromorphone, a morphine derivative.

State officials have had difficulty getting lethal injection drugs because European pharmaceutical companies have barred their sale for the purpose of executions.

But they said earlier this year they have enough of the new three-drug combo to carry out several executions.

Convicted Akron killer Ronald Phillips is scheduled to die July 26. Phillips was convicted in 1993 of raping and murdering his girlfriend's 3-year-old daughter. The Ohio Parole Board unanimously recommended against clemency for Phillips in December, calling his crime "among the worst of the worst." The young victim's half-sister and aunt asked state officials to move forward with the execution to bring the family closure.

Phillips' execution has been delayed several times as death row inmates and death penalty opponents have challenged the state's untried protocol. Phillips' attorneys made a plea this week to the U.S. Supreme Court to stay the next three executions while the lawsuit makes its way through the courts.

In a separate letter to Kasich, 17 former corrections officials and administrators, including three from Ohio, warned of possible errors with the use of midazolam, which has been used in problematic executions in Ohio, Arizona and Alabama. The group warned a disturbing execution could traumatize corrections officials carrying it out.

Rex Zent, a former Ohio prison warden and Department of Rehabilitation and Correction official, said execution team members often deal with stress and anxiety from carrying out routine executions.

"Think of the psychological damage when something does go wrong or when they think of the men who have been exonerated from death row," Zent said at a Wednesday news conference.

### **Richard Cordray is running for Ohio governor. Supreme Court justice was told**

Updated on July 19, 2017 at 2:22 PM, Posted on July 19, 2017 at 2:06 PM

COLUMBUS, Ohio -- Former Ohio Attorney General Richard Cordray is going to run for governor of Ohio, Ohio Supreme Court Justice Bill O'Neill said he was told last week by a mutual friend.

O'Neill said the friend, whom he declined to name, "openly stated" that Cordray is going to enter the 2018 Democratic gubernatorial primary. The friend called to see whether O'Neill would stick to his past statement that he would stay out of the 2018 Democratic gubernatorial primary if Cordray entered the race.

"The person I was talking to last week was saying that [Cordray] is basically trying to get as many projects done in Washington as he can before he leaves," said O'Neill, the lone Democrat on the state's high court. "But they left me with the clear impression that he is leaving."

O'Neill, who has known Cordray since the two worked together in state government in the 1990s, said he will stick to his promise not to run for governor now that Cordray is entering the race.

For the last four years, Cordray has served as director of the U.S. Consumer Finance Protection Bureau. During a press call with U.S. Sen. Sherrod Brown on Wednesday, Cordray declined comment on whether he intends to run for governor.

Talk about such a move has intensified since cleveland.com columnist Brent Larkin wrote Tuesday that he expects Cordray to run.

Under federal law, Cordray would have to resign as CFPB director to run or to engage in political activity.

Cordray is currently in a legal battle with the Trump administration over whether the president can fire him before his five-year term as director expires next year. (The White House is reportedly leery about firing Cordray anyway, as it could boost his gubernatorial candidacy).

Cordray would be a top-tier candidate in a Democratic primary with no clear frontrunner. Four Democrats have already launched gubernatorial campaigns: former lawmaker Connie Pillich, state Sen. Joe Schiavoni, ex-U.S. Rep. Betty Sutton, and Dayton Mayor Nan Whaley.

One potential opportunity for Cordray to announce his candidacy is during the Cincinnati's AFL-CIO's annual Labor Day picnic on Sept. 4. Cordray is going to be one of the speakers at the event, according to state Rep. David Leland, a former Ohio Democratic Party chair.

### **The 2018 buzz surrounding Richard Cordray is intensifying: Ohio Politics Roundup**

Posted on July 20, 2017 at 6:20 AM

*Fresh Richard Cordray rumors inject intrigue into the 2018 Ohio governor's race. Rob Portman is identified as the "spine" of opposition to the Obamacare repeal and replace bill. And Ken Blackwell defends his work on Trump's "voter fraud" commission. Read more in this edition of Ohio Politics Roundup, brought to you today by Andrew Tobias.*

**Everything's coming up Cordray:** So, after months of rumors and speculation (and lately, radio silence), Rich Cordray's name has popped up again in a big way in the Democratic Ohio governor's primary.

As we've previously written, it started Tuesday with a column from Brent Larkin, the plugged-in, longtime political scribe for cleveland.com and The Plain Dealer. On Wednesday, Bill O'Neill, the lone Democrat on the Ohio Supreme Court, told cleveland.com's Jeremy Pelzer that Cordray's people have been in touch.

O'Neill said a mutual friend called him last week to take his temperature on the 2018 race. O'Neill previously has said he would run for governor if Cordray, the former Ohio attorney general and current director of the federal Consumer Financial Protection Bureau, did not.

"The person I was talking to last week was saying that [Cordray] is basically trying to get as many projects done in Washington as he can before he leaves," said O'Neill. "But they left me with the clear impression that he is leaving."

Also on Wednesday, Cordray hopped on with U.S. Sen. Sherrod Brown, Ohio's most prominent Democrat, for Brown's weekly conference call with reporters to tout the CFPB "consumer watchdog successes." During the call, Cordray declined to say whether he was running for governor.

While the timing was intriguing, sources close to Brown, who is neutral in the Democratic primary, say the call was scheduled with a recent new NCPB banking rule in mind, and not coordinated with any of Cordray's political smoke signals.

**Waiting for Cordray:** Despite the presence of four other candidates who are jockeying for attention and support, the interest in Cordray's possible candidacy shows he still looms large over the race.

Democratic donors are waiting to see for sure whether Cordray will enter the race, former Franklin County Democratic Party Chairman Greg Haas told Politico's Daniel Strauss.

"There's a reason for that," Haas continued. "A lot of them are waiting on Rich because he's such a great candidate. That's not a negative reflection on some of the other people running for governor. He's just in a much better position."

**Something to watch for:** Cordray is a scheduled speaker at the Cincinnati's AFL-CIO's annual Labor Day picnic on Sept. 4. The Statehouse News Bureau's Karen Kasler reported Wednesday it's "widely suspected" that Cordray will announce there and then.

Moving on...

**The inside game:** In public, it was often unclear how Ohio U.S. Sen. Rob Portman, a Republican, felt about the GOP healthcare reform bill. In June, Portman belatedly came out against the bill, once it became clear the legislation did not have the votes to pass. And when Republicans announced a revised bill in July, the Ohio Republican was one of several senators who had not committed to either side in the heated battle over the healthcare overhaul.

But behind the scenes, he led the opposition to the bill, New York Times reporters Jennifer Steinhauer, Glenn Thrush and Robert Pear write.

Portman "formed the spine of opposition to the bill, and pushed for changes to reduce the cuts to Medicaid. In his state, more than 700,000 low-income people have gained coverage through the expansion of Medicaid under the Affordable Care Act," they write.

**Lemons out of lemonade:** Even though Republicans for now have failed to deliver on their signature promise -- repealing and replacing Obamacare -- there could be some 2018 political upside therein, cleveland.com's Seth Richardson writes.

One: Republican candidates next year won't be forced to take a stand on the controversial bill. Two, Democrats will have one less thing -- and it could have been a big one -- to energize their base and use as a wedge issue.

On the other hand, if they don't follow through, Republicans risk demoralizing their own base.

**Bearing down:** In an interview with cleveland.com's Sabrina Eaton, Ken Blackwell, the former Ohio secretary of state and failed 2006 Republican candidate for governor, defended his ongoing work on Trump's "elections integrity" commission as a potentially bipartisan opportunity "to look at ways where working more cooperatively will safeguard the ballot of voters who have legally cast them from foreign and domestic threats"

He also didn't back away from Trump's infamous, evidence-free claim that were it not for the millions of people who voted in the November election, he would have won the popular vote by a landslide.

Blackwell told Eaton he doesn't believe the election commission was created to "validate or invalidate the president's assertion that there were 3 to 5 million illegal voters" in last year's election, but he says there's reason to believe it might have happened.

Eaton also dusted off a fun old Blackwell anecdote: once, while mayor of Cincinnati, he wrestled a bear for charity.

**Activists lobby Kasich on death penalty:** Death penalty opponents are pressuring Ohio Gov. John Kasich over an execution scheduled for July 26 that would be Ohio's first in three and a half years, cleveland.com's Jackie Borchardt writes.

"Ohioans to Stop Executions delivered 27,503 signatures to Kasich's office, urging the Republican governor to postpone the state's 27 scheduled executions. The petition calls for better safeguards to prevent innocent people from being sentenced to death, including 2014 recommendations from the Ohio Supreme Court's death penalty task force."

**The Internet never forgets:** Democratic senators -- including Brown -- are opposing a Trump judicial nominee because of the Kentucky lawyer's past as a political blogger, Eaton writes.

"Democrats ... - argue that Louisville attorney John K. Bush's controversial statements should block him from becoming a judge on the Cincinnati-based federal court, which hears cases from Ohio, Michigan, Kentucky and Tennessee.

"Writing under the name 'G. Morris' on the Elephants in the Bluegrassblog, Bush wrote posts that suggested someone 'should gag' then House Speaker Nancy Pelosi, criticized the State Department for modifying passport application forms to account for the possibility of same-sex parents, and commented on a protest by nude women at the 2016 Republican convention in Cleveland."

"In a Wednesday speech on the U.S. Senate floor, Brown criticized Bush for advocating 'extreme political views' on healthcare, campaign finance, climate change and LGBT rights, and for citing 'white supremacist' sources that pushed the conspiracy theory that President Barack Obama wasn't born in the United States."

**SEIU throwing its weight around:** The Service Employees International Union, which represents 6,000 people in Cleveland, has endorsed some challengers to incumbent Cleveland council members, cleveland.com's Robert Higgs writes.

"A small but well targeted ground operation ... there's no incumbent that can outproduce that unless they have a highly-organized ground game of their own," SEIU spokesman Anthony Caldwell said.

**Gibbons hires media shop:** Mike Gibbons, the Cleveland investment banker running against Ohio Treasurer Josh Mandel in the Republican U.S. Senate primary, has hired BrabenderCox, a Virginia-headquartered firm to serve as his campaign's chief media strategist.

John Brabender, the founder and chief strategic and creative officer of BrabenderCox, served as chief strategist for former Senator Rick Santorum's campaigns for presidential campaigns in 2012 and 2016, according to the Gibbons campaign.

**Kaptur wants FBI to investigate Ivanka:** "Rep. Marcy Kaptur of Toledo and more than a dozen of her Democratic colleagues in Congress want the Federal Bureau of Investigation to probe whether Ivanka Trump lied on her security clearance forms by failing to disclose her husband's interactions with Russians," Eaton writes.

## THE ENQUIRER

### **Cordray for governor? One top Democrat has no doubts**

Published 3:57 p.m. ET July 19, 2017 | Updated 4:32 p.m. ET July 19, 2017

COLUMBUS - Ohio Democrats' sole officeholder at the state level says he has no doubts former Ohio Attorney General Richard Cordray will run for governor.

Ohio Supreme Court Justice Bill O'Neill, who was considering a run for governor if Cordray wasn't interested, said he received a call last Wednesday from a mutual friend who implied Cordray would soon enter the race.

"If and when he announces, are you still planning on dropping out?" the caller asked O'Neill.

O'Neill had promised that if Cordray entered the race, then O'Neill wouldn't get in. O'Neill said he considered running only because his name recognition was stronger than other Democrats in the race. Those Democrats include former Montgomery state Rep. Connie Pillich, state Sen. Joe Schiavoni, U.S. Rep. Betty Sutton and Dayton Mayor Nan Whaley.

"They are all fighting an uphill battle with name recognition," O'Neill told The Enquirer.

Cordray, currently serving as director of the Consumer Financial Protection Bureau, has that name recognition and experience running in statewide races, O'Neill said.

But Cordray hasn't announced anything yet. A federal law prevents federal officials from campaigning while in office.

"I don't have any comment on any of that today," Cordray said Wednesday during a joint news conference with Sen. Sherrod Brown to discuss consumer protection.

But the introduction from Brown during on Wednesday almost sounded like a line in a campaign ad:

"Wall Street banks, car title lenders, big corporations have armies of expensive lobbyists. We have Rich Cordray," said Brown, who has not endorsed a candidate for Ohio governor yet.

Cordray would likely have to resign from his position at the Consumer Financial Protection Bureau to run for governor. That would leave the agency initially proposed by progressive Sen. Elizabeth Warren in the hands of Republican President Donald Trump. That is a concern for some Democrats.

Still, his credentials could help. Cordray has won two statewide races: treasurer in 2006 and attorney general in 2008 to fill the remainder of Marc Dann's term after Dann resigned. Cordray was ousted from the position in 2010 by current attorney general Mike DeWine, who is running for governor as a Republican.

Both parties have crowded fields to replace Gov. John Kasich, who is term-limited. Other Republicans in the race are Ohio Secretary of State Jon Husted; U.S. Rep. Jim Renacci and Lt. Gov. Mary Taylor.

The primary is May 8, 2018.

## THE BLADE

*One of America's Great Newspapers*

### **Gov. John Kasich urged to block Ohio's plan to resume executions**

Published on July 19, 2017 | Updated 12:30 p. m.

COLUMBUS — Representatives of the faith community, correctional officers, victims' families, and exonerated death row inmates joined forces Wednesday to urge Gov. John Kasich to block Ohio's plan to resume carrying out executions next week.



They delivered more than 27,000 signatures to his office, urging him to commute the death sentence of Ronald R. Phillips, 45, to life without parole. Phillips' often delayed execution is now set for July 26, and 26 more have execution dates scheduled into 2021.

Kwame Ajamu, a former death row inmate from Cleveland, was later exonerated after a key witness in his murder trial recanted. He noted eight others like him in Ohio also walked off death row alive. Odds are, he said, that someone like them is among the 27.

"I don't know who it is," he said. "None of you knows who it is, and neither does John Kasich."

Representatives of various churches tried to use scripture quoted by Mr. Kasich to urge the Republican governor to at least delay executions until key recommendations from a death penalty task force are enacted.

Retired Dayton-area appellate Judge James A. Brogan, who chaired the Ohio Supreme Court's Joint Task Force to Review Administration of Ohio Death Penalty, noted it's been more than three years since 56 recommendations were issued.

"It is my view that if Ohio is to retain the death penalty, it should not resume executions without addressing our body of work, which took nearly 2½ years to complete and was representative of the key stakeholders in the criminal justice system," he said.

Among other issues, the report recommended limiting the death penalty to cases involving certain types of compelling evidence, requiring in-custody interrogations to be recorded, requiring all crime labs to be accredited, increasing funding for public defenders, and requiring a review of death penalty charges to remove racial and geographic disparity.

Phillips was convicted in the murder of Sheila Marie Evans, the 3-year-old daughter of his Akron girlfriend. The Ohio Parole Board unanimously recommended Mr. Kasich not show him mercy.

"Phillips' crime is clearly among the worst of the worst capital crimes," the board said "Its depravity is self-evident. The victim is an innocent 3-year-old child whom Phillips used to sexually gratify himself, repeatedly sodomizing the child.

"As if subjecting the child to those vile sex acts were not enough, Phillips also brutally beat the child, repeatedly hitting her, throwing her, and dragging her by her hair," it said. "Words cannot convey the barbarity of the crime. It is simply unconscionable."

Ohio has not executed an inmate since Dennis McGuire, of Preble County, on Jan. 16, 2014, using a two-drug protocol of the sedative midazolam and morphine derivative hydromorphone. Witnesses described McGuire as making choking and snorting sounds and struggling against his restraints in the unusually long 26 minutes it took him to die.

Ohio abandoned that protocol afterward, but has struggled since to obtain the drugs it would prefer to use because manufacturers refuse to make them available for executions.

A Cincinnati appeals court recently lifted an injunction that had prevented the state from proceeding using three readily available drugs, starting off again with midazolam. Lawyers for Phillips and two other inmates have urged the U.S. Supreme Court to intervene.

## **Henson, Libby**

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**From:** Best, Carolyn  
**Sent:** Tuesday, July 18, 2017 5:28 PM  
**Subject:** Updated Am. Sub. HB 49 Budget Talking Points  
**Attachments:** Am. Sub. HB 49 Budget Talking Points.pdf

Dear House GOP Members and Staff,

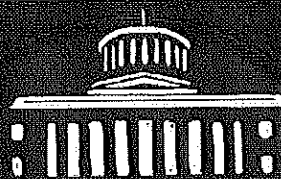
Please see attached talking points on the state operating budget, which have been updated with more detailed information compared to the document distributed in caucus. You will also find talking points on the House's veto overrides, and these will continue to be updated depending on Senate consideration.

The House Majority Communications team is prepared to assist you with additional talking points, press releases, columns, social media content and graphics, etc. throughout the summer months. Please feel free to let us know if there is anything we can help you with.

Thank you!

## **Carolyn Best**

*Director of Communications*  
Office of Speaker Clifford A. Rosenberger  
Ohio House of Representatives  
77 S. High Street, Columbus, Ohio 43215  
Office Phone: 614.644.1739  
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## **Amended Substitute House Bill 49**

### **Ohio House Republican Talking Points**

*A fiscally responsible, balanced budget that  
prioritizes Ohio's greatest needs*



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# Praise for Am. Sub. House Bill 49



"We appreciate a balanced budget that does not include any new tax increases."

*Roger Geiger, National Federation of Independent Business, Ohio*

"The final version of the state budget that is heading to Gov. Kasich's desk is one of the best budgets we have seen in a while in Ohio... there was solid spending restraint and efforts to contain Medicaid spending -- the 'Pac-Man' of Ohio's budget. These are all noteworthy accomplishments."

*Greg Lawson, Buckeye Institute*

"Tuition freeze benefits students and universities... the state-mandated cap has helped both students and universities and should continue for at least two more years... the tuition freeze is a good strategy worth continuing."

*Toledo Blade Editorial*

"Ohio's House did the right thing Thursday by overturning Gov. John Kasich's veto of a budget amendment written to protect the finances of counties and transit authorities, including the Greater Cleveland Regional Transit Authority. The state Senate would be wise to follow suit."

*Cleveland Plain Dealer Editorial*

"Ohio's farmers and rural communities will benefit from reforms to the state's farmland tax policy, culminating a three-year effort led by Ohio Farm Bureau. The reforms were included in the new state budget signed by Gov. John Kasich."

*Ohio Farm Bureau*

"Ohio's leaders understand that treatment works and people recover when they have access to the necessary treatment and recovery support services."

*Cheri L. Walter, Ohio Association of County Behavioral Health Authorities*

"The budget sends Ohio families a strong message that our elected leaders are committed to empowering parents to choose the learning environment where their children can reach their full potential. We applaud Governor Kasich and the Ohio legislature for their work, and we are grateful this budget recognizes the important role school choice is playing in the lives of thousands of Ohioans."

*Kaleigh Lemaster, School Choice Ohio*

"Pregnancy help centers are essential to building a culture of life here in Ohio because they offer women not only material assistance, but often emotional, medical, and educational support. By providing diapers, formula, cribs, parenting classes, prenatal care, counseling and mentorship, these centers are showing us what it means to care for the whole person and what it really means to be pro-life."

*Ohio Right to Life*

"For too long the cumbersome process of being required to file in multiple jurisdictions has burdened businesses across Ohio. We believe this proposal is the right step in our state's quest to create a streamlined tax code and spur a positive business climate for employers."

*Gordon Gough, Ohio Council of Retail Merchants*

# Setting the Stage for Am. Sub. House Bill 49



*No single piece of legislation reflects a caucus' priorities more than the state budget. Under Republican control over the past six years, Ohio has rebounded economically thanks in large part to the kinds of priorities that have been outlined in previous budgets:*

- Over \$5 billion in tax relief for families and businesses
- Bolstering the rainy day fund to more than \$2 billion
- More funding for Ohio's schools

*That is a far cry from the tax-and-spend largesse of the Democrats who once reigned over state government in Ohio:*

- \$8 billion budget deficit
- Unemployment over 9 percent
- 350,000 jobs lost
- Less than a dollar in the rainy day fund

*The result? Since 2011, Ohioans have created around 460,000 private-sector jobs and the state's unemployment rate has been cut almost in half.*

Underlying any single, specific provision in any of the past three Republican-led budgets, however, is the unwavering commitment to fiscal responsibility. Ohio has the people, resources, talent and work ethic to succeed, innovate and move our state forward. It simply needs a government that is not overly burdensome, leads by example and lives within its means.

*Am. Sub. House Bill 49 remains true to these tenets.*

*Facing challenges head-on*

Over the past year, the amount of tax revenue flowing into the state has been consistently under what was estimated. This situation is not unique to Ohio. About two-thirds of states are facing similar circumstances, as national growth has been lagging for the past year-plus.

This is not a cause for panic, but it cannot be ignored either. As is reflected in Am. Sub. HB 49, House Republicans have addressed this issue head-on and have put forth a balanced budget bill that is *fiscally responsible and that prioritizes Ohio's greatest needs.*

*With added focus on restraining spending and protecting essential services, HB 49 has taken significant steps toward addressing Ohio's revenue situation. Among them:*

- Roughly 3 percent cuts across-the-board
- All-Funds budget is under inflation for the first time in several years
- House administrative budget cut by 6 percent
- Spending is about \$2.9 billion less than the executive proposal over the biennium

# Highlights of Am. Sub. House Bill 49



## *A fiscally responsible budget that prioritizes Ohio's greatest needs*

### *Continuing the Commitment to Fiscal Responsibility*

- Restrains All-Funds growth below inflation over the biennium
- Spends \$2.9 billion less than executive proposal over the biennium
- Reduces House administrative budget by 6 percent

### *Combating Ohio's Opioid Epidemic through Coordinated Care*

- Invests \$180 million toward one of our state's most pressing issues
- Takes a multifaceted approach to help people overcome addiction
- Prioritizes prevention, treatment, mental health and workforce reintegration

### *Providing Valuable Resources for Ohio's Schools*

- Ensures that a majority of schools do not lose state funding for FY '18 and FY '19
- Increases per-pupil funding and rewards high-performing educational service centers

### *Promoting a Competitive, Predictable and Simplified Tax Structure*

- Reduces number of tax brackets from nine to seven
- Provides consistency in Ohio's tax structure by ensuring that taxes were not raised
- Modernizes Ohio's CAUV formula through minimal impact to schools and local governments

### *Expanding Options and Addressing Costs of Higher Education*

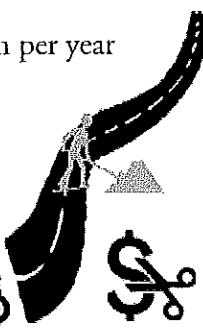
- Provides \$5 million for financial assistance to obtain short-term certificates
- Requires colleges and universities to study their textbook costs
- Includes innovative tuition controls to keep the cost of earning a college degree down

### *Strengthening Accountability and Transparency in Medicaid*

- Emphasizes the importance of restoring oversight of Medicaid program to the General Assembly
- Places guardrails on future Medicaid growth to ensure its long-term solvency

### *Ensuring Children Receive the Care and Attention They Deserve*

- Restores the Bureau for Children with Medical Handicaps (BCMh) and funds it at \$3 million per year
- Increases Child, Family and Community Protection Services by \$15 million per year







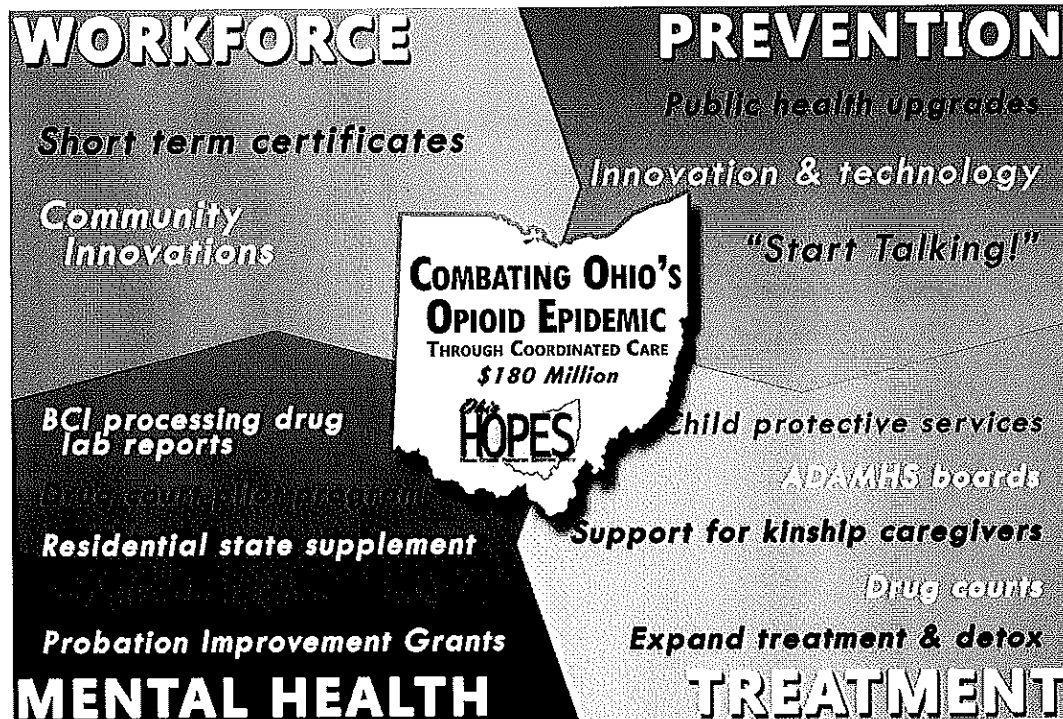
Ohio led the nation in opioid-related overdose deaths in 2015. Although death totals are still being calculated, casualties are expected to be 30 percent higher in 2016. Perhaps no other problem has touched the state so universally and indiscriminately than that of drug addiction, affecting rural, urban and suburban communities alike.

*House Republicans remain committed to fighting this terrible scourge, and House Bill 49 takes a bold and aggressive approach to tackling the drug epidemic on multiple fronts.*

### ***HOPES (Heroin, Opioids, Prevention, Education and Safety) Agenda***

As part of the Buckeye Pathway, the HOPES Agenda is strongly reflected in Am. Sub. HB 49:

HB 49 invests **\$180 million in new money** to fight drug addiction *through coordinated care*, focusing primarily on four key areas: ***Prevention, Treatment, Mental Health and Workforce***. (Note: The items below are not an exhaustive list, but reflect most of the major funding areas and programs. Unless otherwise denoted, all funding numbers below are over the biennium.)



#### ***Prevention***

- ***Innovation and Technology:*** It is critically important to get the drug-free message out to people of all ages and backgrounds. The "All Roads Lead to Home" initiative includes developing a mobile app to provide resources and information regarding opioid addiction and treatment services, as well as PSAs, a website and a 24-hour hotline
- ***Public Health Upgrades:*** Invests \$8 million in the Ohio Department of Health devoted to improving public health programs and directs \$3.8 million for upgrading the OARRS pharmacy database
- ***"Start Talking!":*** Building off the governor's work on this issue, this is an important branding tool that people can recognize and helps them know where to reach out

# Combating Ohio's Opioid Epidemic



## *Treatment*

- **Child Protective Services (\$30M):** Having seen an increase of 1,400 new children under counties' care over the past six years, the budget invests funding to provide services for the children of opiate addicts
- **Kinship Care (\$30M):** The goal is to attract more kinship families, wherein the children's family members are able to take care of them, not only to ease the burden on the foster care system, but also to help families stay together
- **Expand Treatment and Detox (\$32M):** Because too many Ohioans lack access to treatment, this will greatly expand treatment options, as well as reduce waiting times by investing \$20 million in treatment and \$12 million in detox
- **ADAMHS Boards (\$14M):** In most counties, ADAMHS boards are on the front lines of this fight, and HB 49 bolsters them with additional resources, including \$75,000 going directly to each county
- **Drug Courts (\$6M):** Expands drug courts, which offer courts the discretion to individualize rehabilitation plans

## *Mental Health*

- **BCI Processing Drug and Forensic Lab Reports (\$4M):** Drug labs have been overwhelmed; this investment will help them keep up with toxicology reports, etc.
- **Stabilization Centers (\$3M):** Ensures Ohioans have access to mental health crisis services
- **Residential State Supplement (\$2M):** Provides resources to individuals who have increased needs due to a disability and are living in licensed state facilities
- **Drug Court Pilot Program (\$1M):** Like ATP drug courts, this pilot program extends the same concept to mental health (Franklin and Warren)
- **Probation Improvement and Incentive Grants (\$10M):** Encourages counties to adopt evidence-based practices for reducing probation violators from going to prison

## *Workforce*

- **Short-term Certificates (\$5M):** Once someone receives treatment, it is critical that they take the next step and return to the workforce; these certificates can help expedite that process so that individuals can return to being productive members of society and provide for their families
- **Community Innovations (\$2 million):** Reappropriates \$2 million to be used for workforce recruitment and retention, including supporting behavioral health centers in areas of independent licensure, tuition reimbursement and loan repayment

*House Republicans know that the solution does not reside solely in government. This requires an all-hands-on-deck approach that many communities are already putting into action. Through the creative provisions in Am. Sub. HB 49, more tools and resources can be utilized at the local level so that people who are ready to seek help can immediately access services and guidance.*



## Providing Valuable Resources for Ohio's Schools



Another top priority is ensuring Ohio's schools have the resources they need to provide the kind of education that will produce young adults who are ready to tackle the issues of tomorrow. Furthermore, providing a strong educational base will better equip young people to provide for themselves and their families so that, for example, they do not give in to pressures like drug abuse, which has ravaged our state in recent years.

*While House Republicans kept many of the provisions contained in the executive proposal, they did expand resources overall for primary and secondary education funding.*

### *Providing more money to the classroom*

- Increases per-pupil funding from \$6,000 to \$6,010
- Increases state foundation funding by \$154M in FY'18 and \$120M in FY'19

### *Rewarding strong performance*

- Provides high-performing ESCs with \$26 per student; other ESCs with \$24 per student
- Re-appropriates millions for high-performing charter schools to address facility needs

### *Upholding local control*

- Removes teacher externship requirement; **some school districts already administer teacher externships, but House Republicans did not believe there was a need to mandate them**
- Removes executive proposal measure to require three non-voting members of the business community to sit on school boards; **House Republicans agree it is important for students to be educated in a manner that reflects the real-world needs of the workforce, but it can be done through other ways**

### *Supporting career technical education*

- Increases funding for Career Technical Education Enhancements by \$128,500 in FY'18
- Ensures that the OhioMeansJobs website will continue to provide individuals with the opportunity to seek out employment in Ohio
- Provides the Ohio ProStart school restaurant program with \$100,000

**“House Republicans expanded resources overall for primary and secondary education funding.”**

# Providing Valuable Resources for Ohio's Schools



## *Preparing Students to Enter Ohio's Workforce*

- Develops a Regional Workforce Collaboration Model to provide career services to students and requires Ohio to comply with the federal Workforce Innovation and Opportunity Act
- Creates a Workforce Supply Tool that provides information regarding in-demand jobs
- Promotes the use of public libraries as "continuous learning centers" to serve as hubs for information about local in-demand jobs and relevant education and job training resources
- Increases the OhioMeansJobs Revolving Loan Fund maximum award amount from \$100,000 to \$250,000 (per workforce program, per year)
- Establishes standards, accountability, and reporting requirements for Business Advisory Councils for school district boards of education

## *Summer Food Service Program*

- Requires that if a school provides summer academic intervention services and opts out of offering summer food services in a school in which at least half of the students are eligible for free lunches, then the school must allow an approved summer food service program sponsor to use the school's facilities, ensuring that hungry students receive meals during the summer when school is not in session

## *Driver Education*

- Directs that driver education courses include instruction on driving when impaired, the science of addiction and the effects of psychoactive substances while driving

## *Transportation Services*

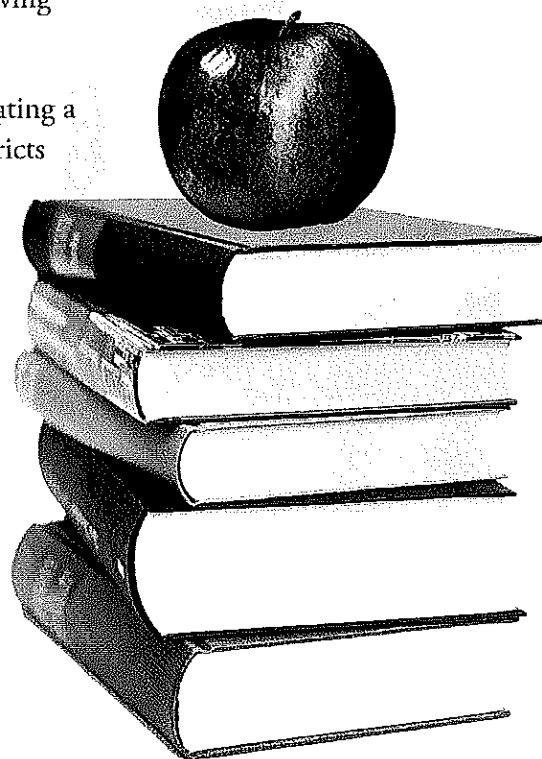
- Orders JEOC to develop legislative recommendations for creating a Joint Transportation Pilot Program in which at least two districts share transportation services

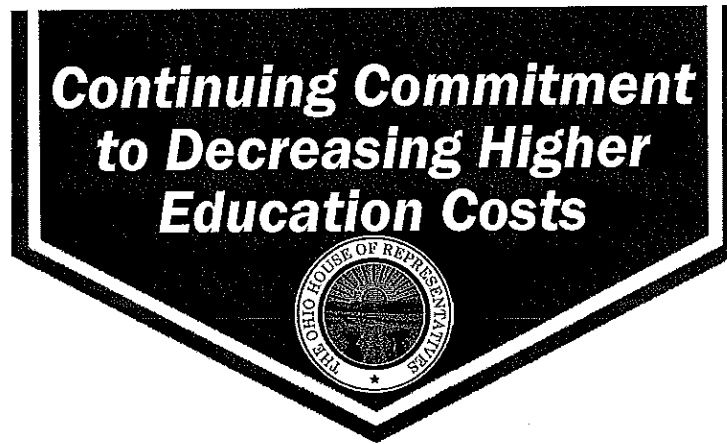
## *Study of Local Revenue Losses*

- Requires the Ohio Department of Education to annually recommend to the General Assembly a structure to compensate schools experiencing at least a 50 percent decrease in public utility personal property valuation from one year to the next for a percentage of the effect that decrease has on the district's foundation aid payment

## *Reducing Testing*

- Decreases the stress of over-testing by eliminating fourth and sixth grade state achievement tests for social studies





Am. Sub. House Bill 49 continues to prioritize making the attainment of a college degree more cost-effective through various reform efforts.

### ***Tuition Controls that Help Ohio's Students***

- Includes innovative tuition controls to keep the cost of earning a college degree down
- Continues the tuition freeze for undergraduates at universities and ensures that most fees are frozen, providing a more affordable college education for students
- \$5 million investment for short-term certificates for in-demand jobs
  - An effort to reach folks who need certification, but also helps them quickly get up and out so they are able to support themselves

### ***Addresses the Cost of College Textbooks***

- Requires colleges and universities to study their textbook costs annually and report these costs to the Chancellor
  - Requires colleges and universities to adopt a textbook selection policy for faculty to use when assigning textbooks
  - Works to lessen financial burden placed on college students

### ***Helps Ohio's Various Community Colleges***

- Allows them to offer an applied bachelor's degree if the degree is not offered by a public or private university within the state
- Provides flexibility by allowing a \$10 per credit increase in tuition for the 2018-2019 school year

### ***Works to Improve the College Credit Plus Program***

- Mandates that the Chancellor study outcomes of the CCP program

### ***Provides for Additional Changes in an Effort to Limit Costs to the Student***

- Requires the Chancellor to investigate fees charged by colleges and universities

### ***Connecting Students with their Elected Officials***

- \$5 million appropriated for The Ohio State University to facilitate the State of Ohio Leadership Institute (SOLI), which will provide instruction to state and local officials on various topics related to state government
- Gives students access to elected officials through the John Glenn College of Public Affairs

# Promoting a Competative, Predictable & Simplified Tax Structure



House Republicans believe in a tax code that allows people to keep more of their hard-earned money and attracts entrepreneurs to create businesses in our state, all while maintaining the resources necessary to fund essential services. Although under different economic circumstances than the previous three Republican-led budget bills, Am. Sub. House Bill 49 upholds those same principles.

## *Eliminating Tax-Shifting*

- Am. Sub. HB 49 removes all executive tax proposals which balanced reductions in income tax with nearly equal combined increases in the sales, severance, tobacco and vapor, and commercial activity taxes
- After accounting for the revenue situation, House Republicans determined that keeping the current tax structure the same was the best path forward for Ohio's growth
- The business community expressed appreciation for the progress made in recent years and applauded the stability and predictability outlined in this budget

## *Simplifying the Tax Code*

- Am. Sub. House Bill 49 reduces the number of tax brackets in Ohio from nine to seven
  - New lowest bracket begins at \$10,500 at \$77.96 + 1.98%
- Removes the executive provision requiring businesses to file income taxes through the state and pay a fee
  - Requires commissioner to distribute municipal income taxes monthly

## *Modernizing CAUV (Current Agricultural Use Value)*

Ohio's agriculture community has been experiencing property values increasing by upwards of 300 percent in recent years, while farm income is at its second-lowest level since the 1920s. *Through various reforms to be phased in over a six-year period, House Republicans aim to offer property tax relief for farmers by reducing the taxable value of farmland.*

The way CAUV is currently calculated does not accurately reflect today's farm economy. HB 49 proposes using an equity rate that judges farm economy based on information disseminated from the USDA. This new formula will change the capitalization rate, lower property values and give farmers more dispensation upon a true value of agricultural use, *while having minimal impact on Ohio's schools and local governments.*

## *Job Creation Tax Credit*

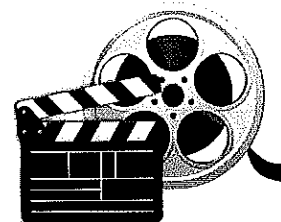
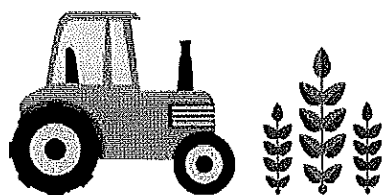
- Authorizes the job creation tax credit to count employees who work from home in the job creation totals

## *Back-to-School Sales Tax Holiday*

- Provides for a continuation of Ohio's sales tax holiday during the first weekend of August in 2018, helping families save money during the busy "back-to-school" time

## *Motion Picture Tax Credit*

- Requires a project to have 50% of its financing to be eligible for the Motion Picture Tax Credit; prioritizes television or miniseries projects
- This industry continues to be a boon to Ohio's economy, creating jobs and promoting workforce development





Making sure that Ohio's health care system is accessible and affordable is a priority for the caucus. Among the components necessary for establishing and maintaining top-notch health care in the state is to have in place strict guardrails that demand transparency and accountability. Through a series of provisions, Am. Sub. HB 49 continues this commitment to common-sense policy.

### ***Strengthening Accountability in Medicaid***

About 3 million Ohioans are covered by Medicaid, and since its inception, the program has become a larger portion of the state budget. *The caucus' goal is to find ways to ensure the program is effective for the people who need it, while also making it efficient and sustainable.*

Am. Sub. HB 49 takes a firm approach when it comes to increasing accountability measures for the Medicaid Group VIII population, remaining true to the goal of providing people the assistance they need while taking steps to help them live independent, productive lives.

The bill also places guardrails on future Medicaid Group VIII spending through the Controlling Board. HB 49 takes the state share funding portion and transfers it into the Health and Human Services Fund. Upon request from the Medicaid Director, the Controlling Board has the authority to release funds. *This provision was included in Governor Kasich's vetoes. The House voted to override this veto and now waits for Senate consideration.*

### ***Returning Medicaid Oversight to the General Assembly***

- The Medicaid Group VIII requirements outlined in the House-passed budget are still in place
  - Am. Sub. HB 49 directs the Department of Medicaid to seek a federal waiver to require a Group VIII Medicaid recipient to be one of the following: at least 55, medically fragile, employed, in an education or workforce training program, or in a recovery program
- Prohibits the Department of Medicaid from increasing provider rates, rolling new populations into managed care, or expanding eligibility without approval from the Joint Medicaid Oversight Committee (JMOC)
  - *This provision was included in Governor Kasich's vetoes. The House voted to override this veto and now waits for Senate consideration.*
- Prohibits nursing facilities and home- and community-based waiver services from being added to Medicaid managed care
  - *This provision was included in Governor Kasich's vetoes. The House voted to override this veto and now waits for Senate consideration.*
- Requires a study committee to review and submit a report by Dec 31, 2018; does not apply to MyCare Ohio program

*These reforms are intended to implement more comprehensive checks and balances within Ohio's Medicaid system. Establishing greater oversight will better equip the state for handling costs and enrollment in this important program.*

*For information about Medicaid eligibility requirements for expansion groups, see Veto Overrides on page 19.*

# Ensuring Quality Health Care



## *Ensuring Children Receive the Care and Attention They Deserve*

- Restores the Bureau for Children with Medical Handicaps (BCMh) program and funds it at \$3 million per year; BCMh links families of children with special healthcare needs, like cystic fibrosis, to healthcare providers and assists families with medical payments
- Provides the Adaptive Sports Program with \$50,000 per year
- Increases Child, Family and Community Protection Services by \$15 million per year

**“In terms of compassion, I believe that you really want to help those who are, not only less fortunate, but who are innocent victims of disease that need a hand up so they can have the same opportunities as everyone else. ”**

*Former NFL Quarterback Boomer Esiason on BCMh funding*







House Republicans understand that criminal justice policies should be crafted based on keeping our streets safe, while providing avenues to rehabilitate offenders so they can return to being productive members of society. *Several provisions in Am. Sub. House Bill 49 move Ohio closer to accomplishing these goals.*

### ***Ensuring Prison is Reserved for the Most Violent Offenders***

- “Targeted Community Alternative to Prison” (TCAP): a pilot project in eight counties that is intended to treat low level offenders within the community by supplementing supervision resources to the local courts
  - Seeks to avoid lifetime consequences of incarcerating low-level non-violent offenders alongside the most violent offenders, while providing counties with resources they need to focus on rehabilitation and public safety
- Am. Sub. HB 49 expands TCAP by making it mandatory for the 10 largest counties and optional for every other county
- Under the program, a judge cannot send a person to prison for an f5 offense that is not a violent, sexual, or drug trafficking offense and the offender has not previously been convicted of felony offenses of violence or sex
- Participating counties will receive grants supporting programs that are alternative to incarceration

### ***Focusing Probation on Rehabilitation***

- While Ohio has one of the lowest recidivism rates, it has one of the highest probation violation rates
- Recognizing that there is a difference between probation violations that indicate the offender belongs in prison and violations that indicate the terms of probation are a barrier to rehabilitation, Am. Sub. HB 49 limits the amount of time a person on probation can be sent to prison for violating a term of probation that is not a prison eligible offense

### ***Incentivizing Rehabilitation***

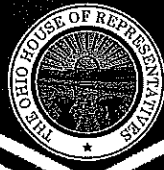
- Allows for certain offenders to receive credit of 90 days or 10% of their sentence (whichever is less) if they complete any of the following while in prison:
  - Ohio High School diploma or equivalence certified by the state
  - Drug treatment program
  - College certification program
  - A certificate of achievement or employability
- Expands the availability and effectiveness of the Certificate of Qualification for Employment program so that persons with criminal records can obtain a certificate offering employers protections against negligent hiring liability, increasing the person’s likelihood of employment

### ***Directing Additional Resources to the Local Level***

- Increases funding for Indigent Defense by \$7.1 million in FY’18 and \$7.9 million in FY’19
- Permits a sheriff to use commissary profits for technology to keep contraband out of jails



# Streamlining State Government

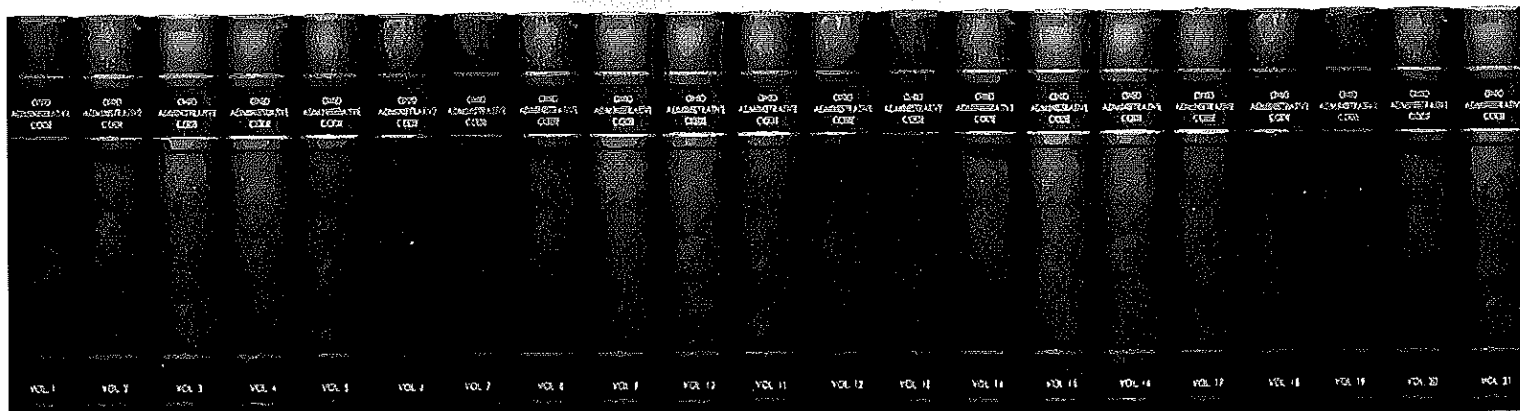


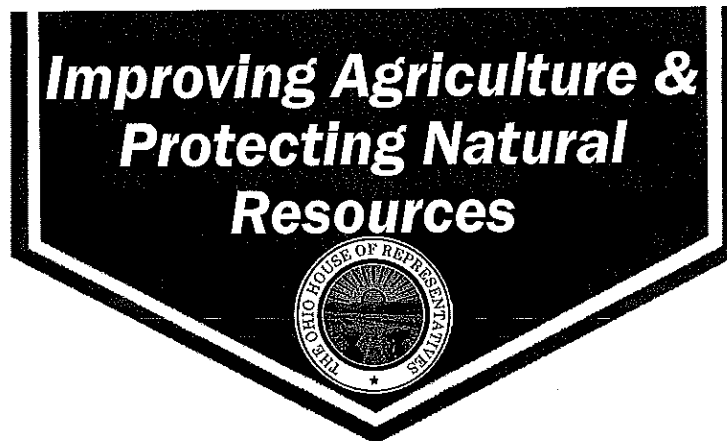
In an effort to streamline state government agencies and to eliminate further barriers to certification for various professions, House Republicans prioritized the consolidation of certain boards and commissions in the state operating budget.

- Optometry + Optical Dispensers Board = *Vision Professionals Board*
- Ohio Board of Speech-Language Pathology & Audiology + Hearing Aid Dealers & Fitters Licensing Board = *Hearing Professionals Board*
- Barber Board + Cosmetology Board = *The Cosmetology and Barber Board*
- Eliminates the requirement that individuals who practice orthotics, prosthetics or pedorthics be licensed and dissolves the board
- Abolishes the Constitutional Modernization Commission

*Also part of Am. Sub. House Bill 49 are provisions aimed at protecting taxpayer dollars in relation to advertising campaigns*

- The bill requires any advertising purchase by any official elected to statewide office or member of the General Assembly that is more than \$50,000 in public money to receive approval by the Controlling Board





*The caucus remains committed to protecting Ohio's rich natural resources while also nurturing our vital agricultural industry, which is an economic asset for the state.*

- ***Helps residents in the Buckeye Lake area:*** Reduces the criterion for a Lakes in Economic Distress loan applicant from 40 percent loss to a 10 percent loss
- Continues the requirement that 14 percent of the Oil and Gas Fund be used to plug orphan wells
- Gives authority to the legislature for appointing members to the Oil & Gas Leasing Commission, rather than the governor (*\*as included in veto override vote, see page 19*)
- Requires the Chief of the Division of Mineral Resources Management to conduct a minimum of two safety inspections of a surface mining operation the year following an inspection by the US Department of Labor that found three or more violations per day
- Initiates the Ohio Soybean Marketing Program



# Supporting Local Government



In a tight budget cycle, House Republicans remain committed to supporting Ohio's local governments in every way they can. As our cities and counties continue to fight on the front lines against the heroin and opioid addiction crisis, they are in need of specific funds directed towards combating the issue.

## ***Local Government Fund (LGF)***

Am. Sub. House Bill 49 retains the rate of the Local Government Fund at 1.66 percent of general revenue.

A portion of the LGF that is distributed to municipalities that levy an income tax is redirected to a new fund, the Targeting Addiction Assistance Fund, under the legislation, to be used as follows:

- \$1 million to the Ohio Department of Health (ODH) to reimburse county coroners that perform toxicology screenings on victims of drug overdose
- \$10 million to the Ohio Department of Rehabilitation and Correction (DRC) to provide Probation Improvement and Incentive Grants to municipalities with an emphasis on providing addiction services
- \$6 million to the Ohio Department of Mental Health and Addiction Services (MHAS) to provide to local boards of alcohol, drug addiction, and mental health services to administer substance abuse stabilization centers
- \$150,000 to the Ohio Department of Jobs and Family Services (JFS) for children's crisis care centers
- \$500,000 to the Ohio Department of Medicaid (ODM), in consultation with JFS and ODH, for a pilot program to treat newborns with neonatal abstinence syndrome

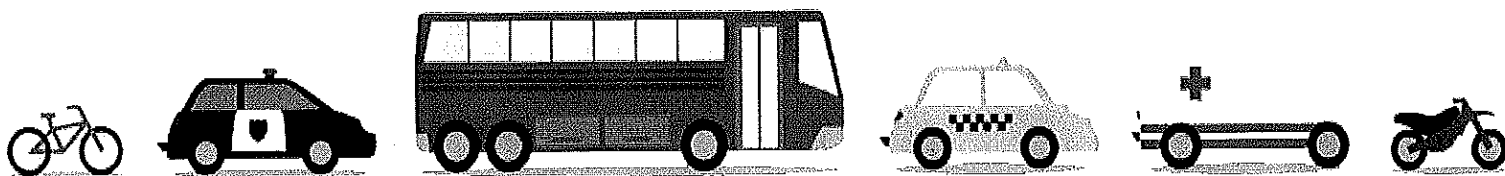
## ***Managed Care Organizations – Franchise Fee (see page 19 for more details)***

Under the budget bill, Medicaid managed care organizations (MCOs) would be subject to a franchise fee, replacing a state and local sales tax on services rendered by Medicaid MCOs. In 2014, the state of Ohio was advised by the federal government that applying this sales tax was no longer permissible under federal law and that Ohio must comply by the end of June 2017. ***This provision was included in Governor Kasich's vetoes. The House voted to override this veto and now waits for Senate consideration.***

- The additional funds raised will be distributed to each county and transit authority that experiences reduced sales tax revenues due to the cessation of the sales tax on Medicaid MCOs
- The franchise fee sunsets in six years, matching the six years over which the sales tax was collected
- The Director of the Department of Medicaid must see federal approval to increase this fee, which has the potential of raising up to an additional \$207 million each fiscal year for local entities through 2024

## ***Public Library Fund***

- Increases library funding by providing 1.68% of the total tax revenue credited to the General Revenue Fund to the Public Library Fund each month during fiscal years 2018 and 2019





Governor Kasich vetoed 47 provisions in the legislature's state budget proposal. On July 6, 2017, the Ohio House voted to override 11 of those 47 vetoes, which is a natural part of the government's checks-and-balances process.

Those actions were a decision to return various provisions of the state operating budget to what the legislature intended. It was the first time in exactly 40 years (July 6, 1977) that a legislative body voted to override multiple vetoes in a state budget bill.

All remaining vetoes were left open for consideration by the caucus and can be brought up for an override vote at any time until December 31, 2018—the final day of the 132nd General Assembly.

In no way does the decision to override the Governor's vetoes reflect personal motivations or animosities, but it simply is based on a difference in policy opinions that our caucus believes are best for Ohio's future.

This process is not about winning or losing, nor about one side taking credit over another. It is about addressing differences head-on and advancing policies that will be best for all Ohioans.

The following is a list of the House's overrides. (Item numbers correspond to the governor's veto message).

***Item 3: Controlling Board authority***

- Limits the Controlling Board's authority when determining appropriation adjustments and creating new funds
- House's override restores necessary authority to the legislature

***Item 23: Medicaid coverage of optional eligibility groups***

- Allows the Ohio Department of Medicaid to cover new, optional groups only when permitted by statute
- Restores greater authority to the General Assembly over the Medicaid program
- Override is necessary to deal with a Medicaid block grant program, which could soon be administered by the federal government

***Item 25: Legislative oversight of rules increasing Medicaid rates***

- Requires the Ohio Department of Medicaid to submit proposals for rate increases to the Joint Medicaid Oversight Committee
- Gives JMOOC and the General Assembly the ability to prohibit rate increases

***Item 26: Medicaid rates for neonatal and newborn services***

- Requires the Ohio Department of Medicaid to set neonatal and newborn services rates at 75 percent of Medicare

***Item 27: Medicaid rates for nursing facilities***

- Changes the formula used to determine Medicaid payment rates for nursing facility services
- Override helps these facilities avoid a \$237 million cut to their reimbursement rates
- Vote to override was unanimous (96-0)

***Item 30: Long-term services added to Medicaid managed care***

- Prohibits long-term services from being added to Medicaid managed care unless approved by the General Assembly
- Important for legislature consisting of elected representatives to retain authority to determine how well people are being cared for



***Item 31: Behavioral health redesign***

- Requires the Ohio Department of Medicaid to delay implementation of the behavioral health redesign into managed care until July 1, 2018
- The delay is important to avoid significant problems for the state's behavioral health providers, many of which are smaller providers in rural and urban communities

***Item 33: Health insuring corporation franchise fee***

- Requires the Ohio Department of Medicaid to ask the U.S. Centers for Medicare and Medicaid Services (CMS) for an increase in the health insuring corporation franchise fee that has already been approved
- Additional funds will go to counties and transit authorities
- Without override, counties and transit authorities across the state would lose all replacement revenue for managed care sales tax revenue
- It is a partial replacement; not a tax increase
- Temporary for six years and subject to CMS approval

***Item 34: Controlling Board authorization regarding Medicaid expenditures***

- Restricts the Controlling Board from releasing funds if Congress amends federal law regarding medical assistance that reduces the percentage

***Item 36: Waiver regarding Healthy Ohio program***

- Requires the Ohio Department of Medicaid to request a waiver from CMS to implement the Healthy Ohio program

***Item 37: Oil and Gas Leasing Commission Appointments***

- Transfers appointment authority for members of the Ohio Oil and Gas Leasing Commission from the governor to the General Assembly
- The Oil and Gas Leasing Commission was passed and signed into law in 2011
- Despite signing the bill, the Governor has not appointed members to the commission in the six years since enactment
- Override gives the legislature the authority to fill the commission, seeing as the lack of one hindered oil and gas development in the state

***\* On Item 28: Medicaid eligibility requirements for expansion group \****

- The conference report that was approved by the House and Senate included a provision seeking a waiver through the Centers for Medicare and Medicaid Services (CMS) to prohibit the enrollment of new individuals into the Medicaid Group VIII expansion population, with exceptions for the mentally ill and drug-addicted
- Governor Kasich vetoed the proposal
- The House did not vote to override the Governor's veto on July 6
  - Largely citing uncertainty in Washington D.C. and the potential for Congress to make significant changes regarding Medicaid expansion
- Because the legislature has until the end of 2018 to take up a veto override, the caucus felt it was appropriate to wait to see if the federal government provides further guidance
- But, like all other vetoes, Item 28 remains open for consideration and could come up for an override in the future



## Henson, Libby

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**From:** Adams, Alexandra  
**Sent:** Tuesday, July 18, 2017 11:00 AM  
**To:** Westlake, Libby  
**Subject:** Talking Points  
**Attachments:** Budget Talking Points Veto-Override Draft 7.18.17.pdf

Here's the document that you can send the Rep. Reineke's office.

### Alexandra Adams

*Majority Communications | Office of Speaker Clifford A. Rosenberger  
Ohio House of Representatives  
77 S. High Street, Columbus, Ohio 43215  
614.728.5401 | [Alexandra.Adams@ohiohouse.gov](mailto:Alexandra.Adams@ohiohouse.gov)*





## **Amended Substitute House Bill 49**

### **Ohio House Republican Talking Points**

*A fiscally responsible, balanced budget that  
prioritizes Ohio's greatest needs*



## **Henson, Libby**

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**From:** Miller, Brad  
**Sent:** Tuesday, July 18, 2017 10:52 AM  
**To:** Westlake, Libby  
**Subject:** HOPES  
**Attachments:** Budget Talking Points Veto-Override Draft 7.18.17.pdf

It looks like Alex made the updated edits, including the graphic. I don't have these anywhere except this PDF if that's ok.

**Brad Miller**  
Deputy Communications Director / Press Secretary  
Office of Speaker Clifford Rosenberger  
Ohio House of Representatives  
(614) 466-8759



## **Amended Substitute House Bill 49**

### **Ohio House Republican Talking Points**

*A fiscally responsible, balanced budget that  
prioritizes Ohio's greatest needs*



## **Henson, Libby**

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**From:** Westlake, Libby  
**Sent:** Tuesday, July 18, 2017 10:23 AM  
**To:** Leach, Eric  
**Subject:** Budget talking points  
**Attachments:** Budget Talking Points Veto-Override Draft 7.18.17.pdf

Eric—Sorry for my delay! Here are the current talking points on the budget. The final version should be sent out to all offices later today, so there might be some minor changes to come. There is a section on HOPES that should be helpful. When I track down the HOPES graphic on its own I'll send that your way as well.

Thanks!

## **Libby Westlake**

Special Assistant to the Speaker for Correspondence  
Office of Speaker Clifford A. Rosenberger | Ohio House of Representatives  
(614) 728-5448



## **Amended Substitute House Bill 49**

### **Ohio House Republican Talking Points**

*A fiscally responsible, balanced budget that  
prioritizes Ohio's greatest needs*



## **Henson, Libby**

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**From:** Cho, Joy  
**Sent:** Tuesday, July 18, 2017 9:34 AM  
**To:** Westlake, Libby  
**Subject:** RE: E-Clips for 7/18/2017  
**Attachments:** E-Clips (7-18-17).docx

**From:** Westlake, Libby  
**Sent:** Tuesday, July 18, 2017 8:53 AM  
**To:** Westlake, Libby <Libby.Westlake@ohiohouse.gov>  
**Subject:** E-Clips for 7/18/2017

# **HOUSE E-CLIPS 7/18/2017**

## **AP Associated Press**

### **OHIO VICTIMS' RIGHTS EFFORT CERTIFIED FOR FALL BALLOT**

Ohio's elections chief has certified for the fall ballot a proposed constitutional amendment giving crime victims and their families the same rights as the accused.

### **EX-AD BUYER CHARGED WITH THREATENING OHIO GOP CONSULTANT**

An ex-employee has been charged with threatening a well-known Republican political consultant based in Ohio.

### **OLYMPIAN, WHISKEY HEIR AMONG THOSE TRYING TO GROW MEDICAL POT IN OHIO**

Long-time natives and carpetbaggers. Construction magnates, toy tycoons, an Olympian and an heir to the Jim Beam whiskey fortune.

## **The Columbus Dispatch** Ohio's Greatest Online Newspaper

### **COLUMBUS COUNCIL OKS TAX BREAK FOR WHITE CASTLE HQ PROJECT**

The Columbus City Council agreed Monday night to create a tax-increment financing district around a planned \$65 million development that would include a new corporate headquarters for White Castle and other offices and residential space.

### **KASICH NOT ATTENDING OHIO GOP DINNER FEATURING PENCE**

Vice President Mike Pence won't have to look Ohio Gov. John Kasich in the eye after a factually challenged jab at the Ohio governor.

### **MANDEL RAISES HALF OF WHAT SHERROD BROWN TOOK IN LAST QUARTER**

State Treasurer Josh Mandel's fundraising effort is lagging far behind incumbent U.S. Sen. Sherrod Brown in Mandel's attempt to unseat the senator.

### **EDITORIAL: STATE LEGAL BILLS WORTH DEEPER LOOK**

It's not unusual for a sitting attorney general to be attacked for awarding millions of dollars in special-counsel contracts to law firms to represent state agencies.

## **Dayton Daily News**

[www.daytondailynews.com](http://www.daytondailynews.com)

### **EMPLOYERS RECEIVE MORE THAN \$1B IN STATE REBATES**

Businesses and public employers in area counties are getting back tens of millions in Ohio worker's compensation premiums as part of an almost \$1.1 billion statewide rebate made possible by better-than-expected returns on an approximately \$24.6 billion fund.

## **THE PLAIN DEALER**

### **MAJOR CONSERVATIVE GROUP ORGANIZING SEPTEMBER DEBATE THAT WOULD BE FIRST AMONG 2018 OHIO REPUBLICAN**

#### **GUBERNATORIAL CANDIDATES**

The state chapter of a major conservative advocacy group with close ties to the Koch brothers is working to schedule the first candidate debate of the 2018 Ohio governor's race.

### **EASING OF OHIO HIGH SCHOOL GRADUATION RULES IS NOW LAW - BUT QUESTIONS REMAIN**

Changes to state graduation requirements that ease the way for the class of 2018 are now official, but a few sticky questions remain.

### **MARSY'S LAW FOR OHIO CRIME VICTIMS BALLOT INITIATIVE APPROVED FOR NOVEMBER BALLOT**

Ohio voters will decide this November whether to strengthen crime victims' rights enumerated in the state constitution by voting on Marsy's Law for Ohio.

### **MANDEL HAULS IN HALF OF BROWN AT \$1.3M, GIBBONS BRINGS IN \$690K**

Ohio Republican Treasurer Josh Mandel raised \$1.3 million during the April 1 to June 30 fundraising period, about half as much as his prospective opponent Democratic U.S. Sen. Sherrod Brown.

### **'ENORMOUS' SLATE OF CANDIDATES FOR CITY COUNCIL: OHIO POLITICS ROUNDUP**

Republican gubernatorial debates, not everyone is happy Corey Lewandowski is coming to the City Club of Cleveland and a closer look at why so many people are running for Cleveland City Council.

## **THE ENQUIRER**

### **VP PENCE'S FALSE ATTACK ON KASICH CONTINUES TRUMP FEUD**

Vice President Mike Pence falsely accused Gov. John Kasich's Medicaid expansion of causing long waiting lists for people with developmental disabilities – the latest jab from President Donald Trump's administration aimed at Ohio's governor.

## **HUSTED CERTIFIES MARSY'S LAW FOR NOVEMBER BALLOT**

Ohio voters will weigh in this fall on a ballot issue that would etch a victims' bill of rights into the state constitution.

## **OHIO'S OUTLAY ON MEDICAID HITS NEW HIGH**

Ohio's spending on Medicaid hit a new peak in 2015, with 17.2 cents of every dollar in state revenue going to the program — a proportion higher than the national average for states, according to a study released Monday.



# HOUSE CLIPS



7/18/17

**Ohio victims' rights effort certified for fall ballot**

Today

COLUMBUS, Ohio (AP) — Ohio's elections chief has certified for the fall ballot a proposed constitutional amendment giving crime victims and their families the same rights as the accused.

The office of Secretary of State Jon Husted (HYOO'-sted) said Monday that proponents of the proposal had submitted more than 371,000 valid signatures, above the required number of about 305,000.

The proposal is dubbed Marsy's Law for Ohio. It would require that victims and their families be notified of all court proceedings, be allowed to tell their accounts of the crime and give victims input on plea deals.

The measure is named for a California woman stalked and killed by her ex-boyfriend in 1983. The accused was released on bail a week after her murder without her family being told.

**Ex-ad buyer charged with threatening Ohio GOP consultant**

Today

DELAWARE, Ohio (AP) — An ex-employee has been charged with threatening a well-known Republican political consultant based in Ohio.

Delaware Municipal court records show 30-year-old Greg Phelps recently pleaded not guilty to a charge of aggravated menacing against Rex Elsass, CEO of Strategy Group for Media. Phelps goes professionally as Gregg Phelps.

Cleveland.com (<http://bit.ly/2t8uNOk>) reports Phelps is barred from traveling within two miles of the firm or Elsass' home. An incident report showed a firm official called 911 on July 12 to report Facebook posts threatening Elsass and other firm employees.

The official told authorities the Union County man was terminated several years ago as a media buyer. He was reportedly upset over lack of access to an ex-employee incentive program.

A message seeking comment was left Monday at a number listed for Phelps.

**Olympian, whiskey heir among those trying to grow medical pot in Ohio**

Updated 3:31 p.m Sunday, July 16, 2017

Long-time natives and carpetbaggers. Construction magnates, toy tycoons, an Olympian and an heir to the Jim Beam whiskey fortune.

These are some of investors vying to win approval to grow medical marijuana in Ohio. The state accepted 185 applications in June and now has to decide who gets the 24 cultivator licenses available.

Ohio's medical marijuana law, passed last year, allows people with 21 medical conditions, including cancer, Alzheimer's and epilepsy, to purchase and use marijuana after getting a doctor's recommendation. The law doesn't allow smoking.

Ohio has some of the country's highest licensing fees. Small growers pay \$2,000 to apply and \$18,000 in licensing fees, while large growers pay \$20,000 to apply and \$180,000 in licensing. The applications will be scored out of 100 points based on their business plans, cultivation methods and past industry experience.

The estimated cost of opening a facility runs from the hundreds of thousands to the tens of millions. Yet that hasn't deterred local business owners, minorities or investors from California to Pennsylvania from applying.

They find Ohio attractive because they believe it's learned from the lessons of other states, from federal raids on Montana cultivators to harsh restrictions in Illinois that hampered patient access and curbed demand.

"They're paying attention and adopting what works and improving what didn't," said Chris Lindsey, a legal analyst with the Marijuana Policy Project. "That puts Ohio really far, far ahead of the game compared to a lot of other states."

With so much at stake, groups have scouted medical professors and hired seasoned consultants to boost their chances. Some declined to speak because they did not want to jeopardize their applications. Ohio hasn't announced when licenses will be issued, but the program is due to be fully operational by September 2018.

A look at some of the players involved and their company names:

## **HOMETOWN HEROES**

Brian and Daniel Kessler — Riviera Creek Holdings

Brian Kessler, whose father patented an early version of the hula hoop, made his fortune running a toy company until he shifted to investing in marijuana. He and his nephew, Daniel, both Youngstown natives, say they want to avoid what they call the “Taj Mahal” syndrome — building too quickly. They say they want to start small and monitor patient numbers before expanding production.

They plan to grow their marijuana using a closed-circuit hydroponics system they say minimizes the chance for infestation.

The Kesslers say they’re determined to bring jobs to Youngstown and hope their local roots will give them a boost in the competition for a license.

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## **FAMILIAR FACES**

Ian James, Bill Brisben, Jim Gould, Oscar Robertson — CannAscend

James is back after spearheading a failed 2015 ballot measure put before Ohioans to legalize marijuana. He’s joined by Jim Gould, a former business partner of President Donald Trump, and Bill Brisben, a Cincinnati real estate developer and former UNICEF representative. Together, they plan to invest about \$30 million in a site outside of Cincinnati.

Nick Lachey, former frontman for boy band 98 Degrees, had backed James’ 2015 initiative but is no longer involved. But former basketball player and Olympian Oscar Robertson is still an investor. Known as “The Big O,” Robertson is known as one of the greatest NBA players of all time.

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## **MINORITY-OWNED BUSINESSES**

Dana Smoot — Under the Water Tower

Smoot is the legal counsel for Smoot Construction, a prominent Columbus-based, African-American-owned construction company that has worked on projects at Ohio State and the recently opened African American Museum of History in Washington. Smoot did not respond to messages seeking comment.

Ohio's marijuana program stipulates that 15 percent of licenses must go to a minority-owned group — black, Hispanic, Asian or Native American. Legal experts have questioned whether the quota would stand in court, though no legal challenge has been filed to date.

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## **OUT OF TOWN INVESTORS**

Ben Kovler — Green Thumb Industries Ohio

Kovler is a Chicago investment banker whose grandfather, Everett Kovler, was president of the Jim Beam whiskey company in the 1970s. Kovler started in marijuana three years ago by founding Green Thumb Industries, which is headquartered in Illinois and now operates in six states.

He says he plans to invest about \$10 million if selected. His facility will grow 20 to 50 strains of marijuana to make oils, pills and slow-release patches that will help patients fall asleep at night.

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## **LOCAL POLITICIANS**

Chad Oberson — Oberson's Nursery and Landscapes

Oberson runs a plant nursery and landscaping company in Fairfield. Oberson is also a Fairfield councilman, elected to a non-partisan position, and voted in April for a local ban on medical marijuana which passed unanimously. He declined comment.

**The Columbus Dispatch**  
*Ohio's Greatest Online Newspaper*

### **Columbus council OKs tax break for White Castle HQ project**

Posted at 12:01 AM, Updated at 6:38 AM

The Columbus City Council agreed Monday night to create a tax-increment financing district around a planned \$65 million development that would include a new corporate headquarters for White Castle and other offices and residential space.

Instead of property taxes, White Castle would make service payments into a fund to pay for infrastructure in the area. Columbus City Schools would receive a portion of those payments equal to the property taxes it otherwise would have received.

Steve Schoeny, the city's economic-development director, said of White Castle: "Their offices are obsolete. They need new offices. They need to either move or rebuild their space."

Also Monday, a proposal to expand the council and divide seats into districts yet continue to elect members citywide was placed on hold for at least another week. The council voted to table legislation that it must pass this month if it is to place the proposed charter amendment on the council's make-up on the November ballot.

Councilman Shannon G. Hardin said small changes to the proposal still are likely before the council votes on it, although he said the changes would not be substantive.

Voters probably will get the final say on whether Columbus should change from a seven-member, at-large council to a nine-member, by-district body elected at large. The current proposal was born out of recommendations from a charter review commission appointed by Hardin and Mayor Andrew J. Ginther last summer.

Opponents of the legislation have said the proposed system would dilute black votes because majority-black districts could vote for one representative, only to see that candidate lose the citywide race among a majority-white electorate.

"We're being sold out left, right and center," said Jonathan Beard, chairman of the group Everyday People for Positive Change. He was one of the architects of an attempt through in a special election last summer to expand the council and divide the seats into districts. That initiative failed, but Beard said he intends to gather signatures for a ballot initiative for the 2018 primary election that would include district representation.

White Castle Management's plan calls for 150,000 square feet of office space and 300 multifamily-housing units on the company's 15 acres at 555 W. Goodale St., and it would cost about \$65 million to build, according to the legislation the council approved Monday for the tax-increment-financing district.

The TIF district would be bounded by Goodale Street to the north, railroad tracks to the south, the Olentangy River to the west and Interstate 670 to the east.

Columbus plans to spend about \$2 million on public infrastructure around the development, including a new public road to access the site. That is to be voted on at a future meeting.

The council also approved property-tax breaks for two companies on Monday.

Meritex Columbus will receive a 10-year, 75 percent break worth about \$2.8 million as it builds a 250,000-square-foot speculative warehouse at Spiegel Drive and Adelaide Court near Rickenbacker Airport.

Meritex would spend about \$10.4 million on the project and create about 22 warehouse and office jobs with payroll totaling about \$1.1 million. Construction is expected to start this summer and be completed by February.

The city also is offering Franklin International and subsidiary F.I. Industries a 10-year, 75 percent break worth \$508,730 on a project that is to add a 12,300-square-foot research-and-development center on a 25-acre industrial-adhesives site at 145 Hosack St.

Much of the center's planned \$3.4 million cost is for a new laboratory.

The project would create five jobs with payroll totaling about \$290,000. Construction is expected to start this summer and finish in December 2018.

### **Kasich not attending Ohio GOP dinner featuring Pence**

Posted Jul 17, 2017 at 12:01 AM, Updated Jul 17, 2017 at 7:20 PM

Vice President Mike Pence won't have to look Ohio Gov. John Kasich in the eye after a factually challenged jab at the Ohio governor.

Kasich has a family obligation and can't attend Saturday's sold-out state dinner sponsored by the Ohio Republican Party at the Ohio Union. Pence is the featured speaker.

The former Indiana governor retreated from his slap Friday at Ohio and Kasich, but the explanation via a spokesman also appears to have a shaky relationship with the truth.

The vice president singled out Kasich during a speech at the National Governors Association gathering in Providence, Rhode Island.

"I know Gov. (John) Kasich isn't with us, but I suspect that he's very troubled to know that in Ohio alone, nearly 60,000 disabled citizens are stuck on waiting lists, leaving them without the care they need for months or even years," Pence asserted.

The Dispatch, followed by the Washington Post, Politifact, CNN and others, pointed out the lack of a relationship between Ohio's Medicaid expansion and the long-standing list of those waiting for home-

and community-based services for the developmentally disabled. The Post also reported that Pence's jibe "drew private criticism from governors of both parties" because not only was it untrue, "many interpreted Pence's remark as an overly aggressive shot at Kasich," which could further alienate key Senate GOP swing vote Rob Portman.

Kasich's press secretary called Pence's claim "fake news."

By Saturday night, the Post said, a Pence spokesman maintained that the vice president was not trying to link the Medicaid expansion and the waiting list, but was only talking about need for reforms.

But that claim flies in the face of Pence's actual remarks. Leading up to the shot at Kasich over "waiting lists," Pence talked about the problems of the Medicaid expansion.

Here is what Pence said just before bring up Ohio, per the official White House transcript of his speech:

"Under Obamacare, the Medicaid expansion costs 50 percent more per enrollee than what we were told. At this very moment, Medicaid is one of the largest and fastest growing budget items in nearly every state budget. But you already know that. And as Medicaid grows, there's less and less money for schools, for roads, and for public safety.

"The truth is for a long time Medicaid has been a broken system that's been fundamentally unsustainable, and the expansion that occurred Obamacare only made the system worse.

"This just can't continue. That's why the Senate health-care bill puts Medicaid on a budget for the first time in its history — ensuring for the long run that Medicaid will be there for the neediest in our society.

"Obamacare has put far too many able-bodied adults on the Medicaid rolls, leaving many disabled and vulnerable Americans at the back of the line. It's true, and it's heartbreaking."

Then came the anti-Kasich quote.

Judging from his own words, there seems to be a cause-and-effect according to Pence: Obamacare allowed the Medicaid expansion that ballooned Medicaid rolls with relatively healthy people, crowding out help for the disabled. His spokesman cited a Wall Street Journal editorial that made the argument as the source of Pence's information.

It's not a novel argument; the Ohio legislature heard it voiced by conservatives successfully seeking a freeze on Medicaid expansion (which Kasich vetoed).



But the Kaiser Foundation — the source of the 60,000 figure cited in the argument — also refutes any connection between the expansion and the waiting list (of those who need a Medicaid waiver to obtain services, usually administered by counties), noting the list has remained roughly the same for years despite the relatively recent Medicaid expansion.

Perhaps harder to refute is the assertion that Pence was not trying to link Medicaid and the waiting list. But judge for yourselves.

### **Mandel raises half of what Sherrod Brown took in last quarter**

Posted Jul 17, 2017 at 3:56 PM, Updated Jul 17, 2017 at 4:59 PM

State Treasurer Josh Mandel's fundraising effort is lagging far behind incumbent U.S. Sen. Sherrod Brown in Mandel's attempt to unseat the senator.

At the same time, Mandel will face a little-known challenger in the Republican primary who reported surprisingly strong fundraising through the first four weeks of his campaign for the Senate seat.

Mandel's main campaign committee, Citizens for Josh Mandel, raised \$1.3 million in the second quarter of 2017.

That's only half of the \$2.6 million raised by Brown's principal committee during the same period, a personal record for Brown in a non-election year.

Mandel also is touting \$400,000 raised by his Team Josh committee, but Brown's campaign says it's inconsistent to lump that in with the funds raised by his main committee.

### **Listen to the latest Buckeye Forum podcast**

Mandel's reported cash on hand for the 2018 race is \$3.3 million, compared with the \$6.7 million that Brown reported earlier this month.

In a fundraising letter, Mandel sounded the alarm to his supporters:

"That's how much money my Democrat opponent, Sherrod Brown, already has in his Democrat war chest to slander my name and try to defeat our campaign," it said. "We knew the Democrats were going to pour all of their resources into this race to defeat me, but I have to be honest, we didn't think they would start so early."

The Democrats aren't the only problem Mandel faces.

Another Republican who would like to unseat Brown, Cleveland-area banker Mike Gibbons, announced Monday that he had raised \$690,000 over the past month.

"The outpouring of support Mike has received over the past few weeks has been beyond anything we could have hoped for," Mike Biundo, a senior adviser, said in a statement. "It is clear that conservatives across Ohio want a strong, no-nonsense voice to go to Washington and represent them, not another career politician who will do nothing to drain the D.C. swamp."

Biundo is a former senior adviser to Ohio Gov. John Kasich's presidential effort. He also was a key figure in the short-lived Republican campaigns for the White House by Kentucky Sen. Rand Paul and former Sen. Rick Santorum from Pennsylvania.

As it has in the past, the Brown campaign has accused Mandel of trying to artificially inflate his fundraising totals by including money raised by committees other than his principal political committee.

Team Josh is a joint committee, which means it consists of two or more entities that split the costs of fundraising and have to share the proceeds.

Despite lagging behind Brown, Mandel boasted in a statement to the press that his second-quarter numbers were strong.

"As we continue our mission to transfer the power from the politicians to the people, I'm inspired by the support we're receiving from Ohioans across the state," Mandel said.

### **Editorial: State legal bills worth deeper look**

Posted at 12:01 AM, Updated at 6:20 AM

It's not unusual for a sitting attorney general to be attacked for awarding millions of dollars in special-counsel contracts to law firms to represent state agencies. Such blistering, however, usually comes from a rival political party during campaigns, and usually involves trying to link contract beneficiaries with political donations.

So it raised eyebrows last week when Ohio Attorney General Mike DeWine's office was grilled at the state Controlling Board over a request to waive competitive bidding for "outside" counsel contracts by none other than a fellow Republican, Sen. Bill Coley of West Chester.

It's not as if all is copacetic within the GOP ranks, but still.

For the record, Coley was worked up over not political patronage allegations, but “what he denounced as DeWine’s office failure to compile and provide comparative information about the 67 law firms seeking state money in the coming fiscal year,” The Dispatch’s Randy Ludlow reported.

While the special-counsel pay-to-play accusations have haunted, often unfairly, a succession of Republican and Democratic attorneys general, Coley has a point: If the AG’s office doesn’t keep a database dossier on the performance, experience and track record of these outside lawyers, how are state agencies and a state oversight panel, the Controlling Board, to effectively judge whether taxpayers are getting their money’s worth? How will other state agencies know which hired guns are best, or best avoided?

“You’re using notes,” Coley said. “... And we need the information to make the call.”

The contract approvals were deferred, and DeWine’s office agreed to return with more information for the Controlling Board. But DeWine might do Ohioans a favor by taking a fresh look at how they document the use of outside legal counsel.

DeWine, for the record, has been an energetic reformer of his office. He has convened several advisory groups or task forces on everything from student debt collection to mental illness and the justice system.

Outside counsel generally is hired to make state debt collection more efficient, step in when a staff attorney might have a conflict of interest, or provide the specialized expertise by a boutique law firm.

In the case with one of the largest contracts on DeWine’s special-counsel list, Ohio State University’s legal counsel had requested hiring the Hogan Lovells law firm of Washington, D.C., for matters involving public teaching hospitals. It would be paid up to \$1.85 million, an hourly rate of \$675 an hour — a discount from typical Washington rates.

Hogan Lovells has been representing Ohio State as outside counsel for 15 years; the firm’s state contracts (which include the University of Cincinnati) predate DeWine’s tenure. In fact, four out of five of all special counsel contracts are renewals; they’ve been reviewed many times before by the Controlling Board.

The hiring of special counsel by the AG’s office has been a perennial controversy. Over the years, both Democrats and Republicans have imposed a variety of reforms on how the office hires outside legal firms. Many of those reforms proved unworkable. Others were political wallpaper.

Coley’s idea of better transparency is worth exploring. Records exist — the AG does gather client feedback and much of the other information Coley has asked for — but older databases were set up for to

be informative for the office's staff, not for public or legislative data mining; and making comparisons on highly specialized work can be difficult. Still it's worth looking at an update.

## Dayton Daily News

www.daytondailynews.com

### **Employers receive more than \$1B in state rebates**

9:27 a.m. Monday, July 17, 2017

Businesses and public employers in area counties are getting back tens of millions in Ohio worker's compensation premiums as part of an almost \$1.1 billion statewide rebate made possible by better-than-expected returns on an approximately \$24.6 billion fund.

"It's not often the government says to business, here, have some of your money back," said Andy Schwartz, corporate counsel and co-owner of Lion Inc., which will receive a rebate. The Vandalia maker of apparel and turnout gear for firefighters and other emergency workers hosted the announcement Monday by state officials.

A 12-county area in southwest Ohio including Butler, Clark, Greene, Montgomery and Warren counties will see an influx of more than \$135 million.

### **Area businesses, public employers get BWC rebate**

BWC REBATE BY COUNTY AND EMPLOYER TYPE		
Butler	Private Employers	\$25,258,680.14
Butler	Public Employers	\$2,700,354.39
Champaign	Private Employers	\$2,814,417.08
Champaign	Public Employers	\$430,317.99
Clark	Private Employers	\$8,308,561.24
Clark	Public Employers	\$1,601,033.64
Clinton	Private Employers	\$2,881,966.38
Clinton	PEC - Public Employers	\$483,936.93
Darke	Private Employers	\$3,347,367.37
Darke	Public Employers	\$454,225.97

Greene	Private Employers	\$4,412,142.46
Greene	Public Employers	\$1,499,028.51
Logan	Private Employers	\$3,026,124.61
Logan	Public Employers	\$652,922.67
Miami	Private Employers	\$8,933,903.12
Miami	Public Employers	\$1,000,008.47
Montgomery	Private Employers	\$39,632,279.01
Montgomery	Public Employers	\$5,868,034.19
Preble	Private Employers	\$1,646,841.55
Preble	Public Employers	\$341,734.00
Shelby	Private Employers	\$5,876,932.01
Shelby	Public Employers	\$578,025.80
Warren	Private Employers	\$12,348,722.69
Warren	Public Employers	\$1,363,442.60
Not located in Ohio	Private Employers	\$90,739,628.03
Total Ohio		\$1,095,186,996.01

SOURCE: Ohio Bureau of Workers Compensation

The rebates come with “no strings attached” but recipients are urged to spend the money on safety initiatives that can keep future premiums in check, said Sarah Morrison, administrator/CEO of the Ohio Bureau of Workers’ Compensation.

“The employers can use it however they would like to,” Morrison said. “We, of course, are encouraging employers to use that money to invest in their employees; to invest in safety; maybe take some opportunities to put in new equipment: guardrails, those sorts of things.”

The agency sets workers' comp premiums assuming a 4.5 percent return on its investments, but over the last several years funds yielded 7 percent, Morrison said.

"So we are in a good position that we can return this money to Ohio employers," Morrison said.

There is no registration or application process for employers. Checks are being mailed automatically, she said. The first rebates went out last week and a staggered mailing schedule should have nearly 180,000 checks all to their destinations by early August.

Stephanie Precht, Dayton Chamber of Commerce's director of public policy and economic development, said the BWC's commitment to returning millions to employers drives down business costs and benefits Ohio workers.

"The return of these critical funds allows the Dayton area business community to invest more money back into their local operations and perhaps even more importantly into the local workforce," she said.

The rebate sum equals roughly two-thirds of an employer's premium for the 2015 policy year, according to BWC.

"We charge worker's compensation to individual accounts whether that be the general fund or the street fund depending on people's wages, and then we put that money back into those accounts," said Mark Beckdahl, finance director for the city of Springfield. "It's a nice return of money for expenses that we had previously."

Though the rebate figure for each private employer is not public information, Ohio private employers will receive about 88 percent of all rebate dollars. The largest private employer refund in Montgomery County is \$3.1 million and \$526,641 in Butler County.

The largest rebate to an area public employer — about \$1.3 million — will go to the city of Dayton. Dayton Public Schools was also high on the list, receiving more than \$961,000. This year's is the third \$1 billion rebate since 2013.

Schwartz said maintaining a good safety record promotes not only future rebates from BWC but also better insurance rates from any type of provider.

He said Lion's rebate is already earmarked for safety initiatives and equipment that could range from ergonomic studies to training to building new equipment that lessens repetitive stress on employees.

"We see that safety is good business. It's good for our employees and we know it's good for all our stakeholders when we have a good safety record," he said.

## THE PLAIN DEALER

### **Major conservative group organizing September debate that would be first among 2018 Ohio Republican gubernatorial candidates**

Updated on July 17, 2017 at 8:29 PM, Posted on July 17, 2017 at 12:48 PM

CLEVELAND, Ohio -- The state chapter of a major conservative advocacy group with close ties to the Koch brothers is working to schedule the first candidate debate of the 2018 Ohio governor's race.

The Republican candidate debate, organized by the Ohio chapter of Americans for Prosperity, is slated for 7 p.m. on Sept. 5 at The Riffe Center in downtown Columbus, according to a draft debate packet sent to the candidates late last week and obtained by cleveland.com.

The event is to be live-streamed by AFP and the affiliates of the conservative Sinclair Broadcasting Group, which has committed to be a partner in the event. The packet describes two confirmed panelists -- Robert Alt, director of the Buckeye Institute, a conservative Columbus think tank, and Bob Kendrick, an anchor with WSYX, a Columbus TV station owned by Sinclair. It also says public tickets are to go on sale Wednesday. The debate would focus exclusively on economic and education issues - taxes and spending, health care, jobs and the economy - and would be moderated by Micah Derry, director of AFP Ohio.

So AFP has a time, date, venue, a broadcast partner and panelists lined up. All it needs is final commitments from the candidates themselves. Official invitations went out Monday afternoon, and give the candidates until 5 p.m. on July 24 to say whether they will participate.

The Republican candidates are Ohio Attorney General Mike DeWine, Ohio Secretary of State Jon Husted, U.S. Rep. Jim Renacci and Lt. Gov Mary Taylor.

The primary election will be held on May 8. Current Ohio Gov. John Kasich, a Republican, is barred by term limits from running for re-election. Democrats who have said they are running include former U.S. Rep. Betty Sutton, of Summit County, Youngstown-area State Sen. Joe Schiavoni, former State Rep. Connie Pillich of the Cincinnati area and Dayton Mayor Nan Whaley.

Americans for Prosperity is one of the flagship organizations of the political network seeded by Charles and David Koch, the conservative, libertarian billionaire industrialists. Issues AFP has

advocated for in Ohio recently include lobbying in favor of the state budget provision -- inserted by GOP state lawmakers and vetoed by Kasich -- that would have frozen the expansion of Medicaid eligibility within the state.

AFP is technically a charitable organization and barred by federal law from making campaign contributions or endorsing specific candidates. But hosting the debate is a way it can influence the GOP primary by elevating and framing issues it deems to be important.

### **Easing of Ohio high school graduation rules is now law -- but questions remain**

Updated on July 18, 2017 at 6:59 AM, Posted on July 18, 2017 at 6:58 AM

CLEVELAND, Ohio - Changes to state graduation requirements that ease the way for the class of 2018 are now official, but a few sticky questions remain.

- Will the changes avert Ohio's possible graduation "crisis" or "trainwreck," as some call it?
- What about the class of 2019?
- And perhaps the biggest - and most immediate - question: Will every high school have to offer all of the new pathways for students to earn a diploma that are now allowed in state law?

The last question is a serious one - one which superintendents and state officials are viewing a few different ways.

"We may have to have some clarification when we come back in the fall," said State Rep. Andrew Brenner, chairman of the House Education Committee, now on recess for the summer.

New state requirements that students score well on several new state tests were supposed to take effect with the incoming senior class. Test scores were required in addition to passing all of the required classes.

But superintendents across Ohio raised alarms this spring that students were scoring lower than expected and that graduation rates would plummet.

These new "end-of-course" exams replace the old Ohio Graduation Tests that the state has used for years.



That led the state school board and State Superintendent Paolo DeMaria to create a special panel early this year to review ways to ease the transition to new tests. The state legislature then took the panel's suggestions, and added them to the state budget bill, which Gov. John Kasich signed.

The changes add multiple other ways to earn a diploma, beyond just scoring well on test - like completing community service, working jobs, doing a senior "capstone" project, or having strong grades or attendance senior year - and added them to the state budget bill.

The changes only affect students who started high school with the class of 2018.

Many have trumpeted the changes as a fair way to handle students who have had to adjust to new state Common Core tests that started in 2015, then another change in test providers in 2016.

Cleveland schools CEO Eric Gordon called the changes "a meaningful effort to address the bridgeless cliff from the old to the new."

Others, though, worry that eliminating tests as an objective hurdle students have to clear will make diplomas worthless.

"This means that there won't be any assurance that those getting diplomas have learned much of anything," wrote Aaron Churchill of the Fordham Institute, a prominent education advocacy group.

He called the change a "return of social promotion."

Brenner said he voted for the changes only because they were part of the larger budget bill.

"I think it went too far and we're letting the class of '18 off the hook," Brenner said.

How many students the changes will help graduate is unclear. Will students attend class every day so they can graduate? How many will try to do a capstone project? How hard will districts grade those? What jobs do you count?

Gordon, like many superintendents, believes he has to sort out rules for all of the new graduation pathways by the start of the year. The law does not set those rules, leaving them "as defined by the school or district."

"There's an awful lot to resolve in a short period of time," Gordon said, stressing that he wants to be sure that the district offers other pathways responsibly, not just as an easy way to a diploma.